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# HOUSE JOURNAL.

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1856-57







Craven,	Henry Clay Jones.
Cumberland,	{ Jesse G. Shepherd, Eldridge Stewart, John L. Bethea.
Chowan,	John C. Badham.
Columbus,	Doctor F. Williamson.
Camden,	Dennis D. Ferebee.
Carteret,	William W. Rumley.
Caswell,	{ William Long, Elijah K. Withers.
Cherokee,	Charles M. Stiles.
Chatham,	{ Richard Carney Cotten, Daniel Hackney, Turner Bynum.
Caldwell,	Cornelius W. Clarke.
Currituck,	Samuel B. Jarvis.
Cleveland,	{ William M. Blanton, Frederick S. Ramsour.
Davidson,	{ John P. Mabry, James M. Leach.
Duplin,	{ Bryant Sutherland, William P. Ward.
Edgecombe,	{ John S. Dancy, Robert R. Bridgers.
Forsythe,	{ John Masten, Jesse A. Waugh.
Gaston,	Richard Rankin.
Granville,	{ Tazewell L. Hargrove, James M. Bullock, Thomas B. Lyon, jr.
Guilford,	{ David F. Caldwell, Levi M. Scott.
Greene,	Arthur D. Speight.
Haywood,	Samuel L. Love.
Halifax,	{ William Hill, John W. Johnston.
Hertford,	Joseph B. Slaughter.
Hyde,	Joseph C. Jennett.
Iredell,	Asa. B. F. Gaither.
Jackson,	J. Ramsay Dills.
Johnston,	{ Burniss H. Tomlinson, Asa Barnes.
Lenoir,	Simon W. Bright.
Jones,	William A. Cox.
Lincoln,	Adolphus P. Cansler.

McDowell,	Jason C. Whitson.
Martin,	Stephen W. Outerbridge.
Moore,	William B. Richardson.
Montgomery,	James M. Crump.
Macon,	David W. Siler.
Mecklenburg,	{ William M. Matthews,
Nash,	{ William F. Davidson.
New Hanover,	George N. Lewis,
Onslow,	{ Samuel A. Holmes,
Orange,	{ Robert H. Tate.
Pasquotank,	Lotte W. Humphrey.
Pitt,	{ William F. Strayhorn,
Person,	{ John F. Lyon.
Randolph,	William E. Mann.
Robeson,	{ William J. Blow,
Rockingham,	{ Edmund Moore.
Rowan,	Robert H. Hester.
Rutherford,	Alfred G. Foster.
Randolph,	{ Giles Leitch,
Richmond,	{ Daniel S. Morrison.
Sampson,	{ Alfred M. Scales, jr.,
Surry,	{ Thomas Settle, jr.
Stokes,	{ William A. Houck,
Stanly,	{ Newberry F. Hall.
Tyrrel,	Amos Harrell.
Union,	Henry B. Elliott.
Wake,	Benjamin F. Little.
Warren,	{ James M. Mosely,
Wayne,	{ Oliver P. White.
Yancey,	Richard E. Reeves.
Yadkin,	Joel F. Hill.
Wilkes,	Mathew T. Waddill.
Each of whom being sworn,	John A. Benbury.
	Darling Rushing.
	{ Nathaniel G. Rand,
	{ Moses A. Bledsoe,
	{ Augustus M. Lewis.
	{ William A. Jenkins,
	{ Thomas J. Pitchford.
	Etheldred Sauls.
	Isaac A. Pearson.
	William H. A. Speer.
	{ Peter Eller,
	{ Augustus H. Martin.



On motion of Mr. Settle,

The House proceeded, *viva voce*, to the election of a Speaker, the result of which was as follows :

The following named members of the House voted for JESSE G. SHEPHERD, one of the Commoners from the county of Cumberland, viz :

Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bullock, Bynum, Cansler, Clark, Cotten, Cox, of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Hackney, Hall, Hargrove, Harrell, Hester, Hill, of Stokes, Hill, of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Lewis, of Wake, Lewis, of Nash, Long, Love, Lyon, of Orange, Lyon, of Granville, Masten, Mathews, McIntosh, Montgomery, Moore, Morrison, Mosely, Outerbridge, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rumley, Rushing, Sauls, Scales, Settle, South-erland, Speight, Stewart, Strayhorn, Tate, Tomlinson, Ward, Waugh, White, of Sampson, Whitson, Williamson, Withers—71.

The following named members of the House voted for JAMES M. LEACH, one of the Commoners from the county of Davidson, viz :

Messrs. Benbury, Caldwell, Crump, Dargan, Eborn, Eller, Elliott, Ferebee, Foster, Houck, Jennett, Leitch, Little, Mabry, Mann, Martin, Meares, Pickett, Richardson, Scott, Siler, Slaughter, Speer, Stiles, Stubbs, Waddill, White, of Cabarrus and Wilson—28.

Mr. Leach voted for JESSE R. STUBBS ; Mr. Shepherd voted for THOS. SETTLE, Jr.

A majority of the whole number present having voted for JESSE G. SHEPHERD, he was declared by the clerk duly elected Speaker of the House of Commons.

Mr. Shepherd was then conducted to the chair by Mr. Settle and Mr. Ferebee.

On motion of Mr. Humphrey,

The House then proceeded, *viva voce*, to the election of a Principal Clerk. The result of which was as follows : The

following named members of the House voted for EDWARD CANTWELL, viz :

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clark, Cotten, Cox, of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Hackney, Hall, Hargrove, Harrell, Hester, Hill, of Stokes, Hill, of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Leitch, of Robeson, Lewis, of Wake, Lewis, of Nash, Long, Love, Lyon, of Orange, Lyon, of Granville, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scales, Settle, Southerland, Speight, Stewart, Strayhorn, Tate, Tomlinson, Ward, Waugh, White, of Sampson, Whitson, Williamson and Withers—73.

The following named members voted for WILLIAM H. BAGLEY, viz :

Messrs. Benbury, Caldwell, Crump, Dargan, Eborn, Eller, Elliott, Ferebee, Foster, Gaither, Jennett, Leach, Little, Mabry, Mann, Martin, McIntosh, Meares, Pickett, Rumley, Scott, Siler, Slaughter, Speer, Stiles, Stubbs, Waddill, White, of Cabarrus and Wilson—29.

Edward Cantwell having received a majority of the whole number of votes given in, was declared to be duly elected principal clerk of the House of Commons, and thereupon the said Edward Cantwell appeared and entered upon the duties of his office.

On motion of Mr. Blow, the House proceeded, *viva voce*, to the election of an Assistant Clerk, the result of which was as follows :

The following named members of the House voted for GEORGE HOWARD, Jr :

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clark, Cotten, Cox, of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Hackney, Hall, Hargrove, Harrell, Hill, of Stokes, Hill, of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Leitch, Lewis, of Wake, Lewis, of Nash, Long,

Love, Lyon, of Orange, Lyon, of Granville, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scales, Settle, Southerland, Speight, Stewart, Strayhorn, Tate, Tomlinson, Ward, Waugh, White, of Sampson, Whitson, Williamson and Withers—73.

The following named members of the House voted for WILLIAM H. HARRISON, viz:

Messrs. Benbury, Caldwell, Crump, Dargan, Eborn, Eller, Elliott, Ferebee, Foster, Gaither, Jennett, Leach, Little, Mabry, Mann, Martin, McIntosh, Meares, Pickett, Richardson, Rumley, Scott, Siler, Slaughter, Speer, Stubbs, Waddill, White of Cabarrus, and Wilson—29.

George Howard, jr., having received a majority of the whole number of votes given in, was declared duly elected Assistant Clerk of the House of Commons, and he thereupon appeared, and entered upon the duties of his office.

On motion of Mr. Jenkins, the House proceeded *viva voce* to the election of a Doorkeeper, the result of which was as follows:

The following named members of the House voted for WILLIAM S. WEBSTER, viz:

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clark, Cotten, Dancy, Davidson, Dills, Erwin, Gentry, Hackney, Hall, Hargrove, Harrell, Hester, Hill, of Stokes, Hill, of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Leach, Leitch, Lewis, of Wake, Lewis, of Nash, Little, Long, Love, Lyon, of Orange, Lyon, of Granville, Masten, Matthews, McIntosh, Montgomery, Moore, Morrison, Moseley, Outerbridge, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scales, Settle, Southerland, Speer, Speight, Stewart, Strayhorn, Tate, Tomlinson, Waddill, Ward, Waugh, White, of Sampson, Whitson, Williamson and Withers—78.

The following named members of the House voted for JOHN H. HILL, viz:



Messrs. Benbury, Caldwell, Cox, of Jones, Crump, Eborn, Eller, Ferebee, Foster, Gaither, Jennett, Mabry, Mann, Martin, Meares, Rumley, Scott, Siler, Slaughter, White, of Cabarrus and Wilson—20.

William S. Webster having received a majority of all the votes given in, was declared duly elected Doorkeeper, and he thereupon appeared, and entered upon the duties of his office.

The House then proceeded *viva voce* to the election of an Assistant Doorkeeper, the result of which was as follows:

The following named members of the House voted for WILLIAM W. WRIGHT:

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Bridgers, Bright, Bynum, Bullock, Cansler, Clark, Cox, of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Hackney, Hall, Hargrove, Harrell, Hester, Hill, of Stokes, Hill, of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Lewis, of Wake, Lewis, of Nash, Long, Love, Lyon, of Orange, Lyon, of Granville, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Patterson, Pearson, Pitchford, Ramsour, Rankin, Routh, Rushing, Sauls, Scales, Settle, Southerland, Speight, Stewart, Strayhorn, Tate, Tomlinson, Waugh, White, of Sampson, Williamson and Withers—64.

The following named members of the House voted for WILLIAM R. LOVILL, viz:

Messrs. Benbury, Caldwell, Cotten, Crump, Dargan, Eborn, Eller, Elliott, Ferebee, Foster, Gaither, Houck, Jennett, Leach, of Davidson, Leitch, of Robeson, Little, Mabry, Mann, Masten, McIntosh, Meares, Pickett, Richardson, Rumley, Scott, Siler, Slaughter, Speer, Stiles, Stubbs, Waddill, Ward, White, of Cabarrus, Whitson, Wilson—35.

William W. Wright having received a majority of the whole number of votes given in, was declared duly elected Assistant Doorkeeper of the House of Commons, and he thereupon appeared, and entered upon the duties of his office.

On motion of Mr. Hill, of Stokes,

*Ordered*, That a message be sent to the Senate, informing

that body of the due organization of the House of Commons, and that the House is now ready to proceed to business; also,

On motion of Mr. Hill, of Stokes,

*Ordered*, That the rules of the last House of Commons be adopted, for the temporary government of this House.

On motion of Mr. Hill, of Halifax,

*Ordered*, That a committee of five be appointed to prepare rules of order for the government of the House. The Speaker appointed the following: Messrs Hill, of H., Stubbs, Foster, Hargrove and Scales; and then,

On motion of Mr. Hill, of Halifax,

The House, at 1 o'clock and 30 m., adjourned until to-morrow, at 11 o'clock, A. M.

TUESDAY, 18th NOVEMBER, 1856.

By a message from the Senate, the House were informed of the organization of that body, as follows:

William W. Avery, Speaker;

John Hill, Principal Clerk;

Quentin Busbee, Assistant Clerk;

James Page, Doorkeeper;

Carney C. Talley, Assistant Doorkeeper.

The following members, viz:

Charles Kelly, of the county of Craven;

Hardy W. Parker, of the county of Gates;

Marcus W. Smallwood and Joseph R. Mason, of the county of Northampton;

Joseph M. Cox, of the county of Perquimons;

George N. Folk, of the county of Watauga;

Erwin A. Thompson, of the county of Wayne;

severally appeared, were sworn, and took seats in the House.

On motion of Mr. Humphrey,

*Ordered*, That the Doorkeeper procure suitable tables and seats for the use of newspaper reporters, and that they be placed behind the Speaker's chair.

On motion of Mr. Bridgers,

*Ordered*, That a message be sent to the Senate, proposing to raise a joint committee of two on the part of each House to wait upon the Governor of the State of North-Carolina, and inform him of the organization of this General Assembly, and its readiness to receive any communication he may have to make.

A message from the Senate being announced, proposed a joint committee for the said purpose, and the House having concurred, Messrs. Bridgers and Pickett were appointed on the part of the House.

Mr. Humphrey offered the following resolution, which was read, modified and agreed to, as follows :

*Resolved*, That a message be sent to the Senate, proposing to proceed forthwith to the election of a Public Printer, and informing that body that the following persons have been nominated therefor in this House, namely, HOLDEN & WILSON, and BURR & LONG.

On motion of Mr. Reeves,

*Ordered*, That the Public Treasurer pay William R. Lovill, Doorkeeper, thirty-one dollars for his mileage and services in this House.

By a message from the Senate, the House were informed of the concurrence of that body in the proposition to raise a joint committee to wait upon the Governor, and that Messrs. Cameron and Gorrell had been appointed thereto on the part of the Senate; also, that they concurred in the proposition to proceed forthwith to the election of a Public Printer, and had appointed Messrs. Hawkins and Ramsay to superintend the same in that body; thereupon, the Chair appointed Messrs. Jenkins and Scott on behalf of the House.

Mr. Bridgers, from the joint committee to wait upon the Governor and inform him that quorums of the two Houses had assembled, and that the General Assembly was ready to receive any communication he may be pleased to make, reported that the committee had waited upon the Governor, and discharged the duties for which it had been appointed, and that the Governor answered he would make a communi-



cation, in writing, to the two Houses at 12 o'clock meridian.

And thereupon,

A communication in writing was received from the Governor of the State, by the hands of Pulaski Cowper, Esq., his Private Secretary, which was read, and is as follows :

*To the Honorable the General Assembly  
of the State of North-Carolina :*

GENTLEMEN : You have been elected by the people of the State to represent them in this General Assembly. They have confided to you powers, the highest and most important known to our government and laws. Coming as you do fresh from the great body of your fellow-citizens and from every section of the State, it is supposed that you are acquainted with their wants and necessities, and that these will be provided for, so far as it can be done by wholesome and enlightened legislation. I doubt not that every effort will be made on your part not to disappoint these reasonable expectations. For my own, allow me to assure you that my aid, however feeble, shall at all times be given towards facilitating your labors.

Before touching upon matters concerning more especially our own State and polity, allow me to congratulate you upon the happy termination of the exciting political contest through which the country has lately passed. For the first time in our history we have seen an attempt seriously made by one section, or more properly speaking, by a political party of that section, to get the control of the different departments of the general government, with the determination expressed, to administer that government on strictly sectional party grounds. It was virtually an attempt to degrade one section and to endanger its institutions, and to deny to it those equal rights and privileges to which all the States in the Union are entitled, and which hitherto they have enjoyed.

True it is, that all this was sought to be done according to the forms of the Constitution. But the attempt was not the less atrocious for that reason.

The general government was intended by its framers to operate for the protection and safety of all, and if properly ad-

ministered, will only be felt in the most beneficent manner. But whenever it is seized upon, even under the forms of the Constitution, by one section of the country, and so wrested and perverted from its legitimate purposes as to become an instrument of oppression or degradation to the other, he knows very little of the Southern people who believes that they would submit tamely and ignominiously to such a government and to such an Union, however dear one of a different kind may be, and I trust and believe is, to all. Whatever may have been said to the contrary, we of the South have not sought to control the affairs of the country or its government so as to advance our own peculiar views and interests at the expense of any other section. All we have asked for is, to be protected in the rights secured to us by the Constitution, to be let alone in their enjoyment, and to be treated as equals among the States and in the common territories of the Union. More than this we have not sought to obtain. Less, if true to ourselves, we will never submit to take.

United as we have been, mainly, in the late contest, we have nothing to fear. For a time madness and fanaticism ruled the day, and the wisest, the best and most patriotic in the land, were filled with fear and misgiving. But the result shows that we have as friends a large and influential body of patriotic, conservative, national men at the North, who, in a crisis like the one we have passed, are ready, at every hazard, to stand by the Union and the rights of every section. The task set before them, I regret to say, was one not easy of accomplishment. But well and successfully have they performed it, and entitled themselves to the thanks and plaudits of all, and the eternal gratitude of the South. For the present the contest is ended, perhaps to be renewed in a short time. Let us hope otherwise, and that peace, order and good feeling may return and abide with us.

One of the foremost statesmen of the land, a man eminent for his talents—of great knowledge and experience in public affairs—just in his purposes, national in his views, moderate in all things; and whose private life has been as pure and irreproachable as his public one has been honorable and useful,

has been elected President of these United States. Scarcely inferior in all the qualities of a statesman, though of fewer years and less experience in public affairs, is he, who has been elected to the second office within our gift.

With the legislative department of the government in accord, surely we have ample reason to hope for a successful administration of our national affairs, a restoration of peace and harmony, and a strengthening of the ties which bind together the States in one national Union.

It gives me pleasure to be able to state to you that since your last session the general condition of the State has been one of prosperity and improvement. Our public works are steadily advancing, our colleges and schools are on the increase, and are generally in a high state of prosperity. Our Common School system, though by no means perfect, is yet gradually improving and manifesting very decidedly some of the beneficial results anticipated from it. Our great interest, agriculture, to say nothing of others, is attracting the notice it deserves, and our people are on the enquiry for the best modes of improving their lands and increasing their crops.— Upon the whole, our physical comforts are being increased, while it is believed that our moral condition as a people is improving; and though one of our grain crops for the present year has been cut short for the want of timely rains, yet in view of the manifold blessings we have enjoyed and the evils from which we have been spared, we have ample cause to render thanks to that kind Providence which hitherto has so eminently blessed our people and country.

The first subject to which I desire to call your more particular attention is, the important one of the public debt of the State.

In advance of the report of the Public Treasurer, which will in due time be presented to you, that officer has, at my request, furnished me with the following statement, showing the indebtedness of the State by bonds, the various items composing the same, for what purposes incurred, and the times at which these sums respectively fall due.



## STATEMENT.

	AMOUNT.	WHEN DUE.
For bonds issued on account of Raleigh and Gaston Railroad, On bonds issued at sundry times in 1849, under act of 17th January, 1849, to provide for the payment of the debt of the State to the Bank of Cape Fear, to the Bank of the State and other debts due on account of en- dorsements by the State for the Raleigh and Gaston Railroad, Under act to provide for the payment of the debt of the State, passed, January 28th, 1851,	\$ 500,000	Jan'y. 1, 1860
Do. do. do.,	200,000	In 1859
Fayetteville and Western Plankroad bonds running twenty yeas,	40,000	In 1861
Do. do.,	130,000	In 1862
Do. do.,	26,500	In 1869
Do. do.,	33,500	In 1870
Do. do.,	40,000	In 1871
Do. do.,	20,000	In 1872
The foregoing are registered bonds.		
<i>The following are coupon bonds:</i>		
Under act of 27th January, 1849, for construction of Gaston and Weldon Railroad, and for improvement of the navigation of the Neuse and Tar rivers, running ten years,	41,000	July 1, 1864
Do. do.,	67,000	Jan'y. 1, 1865
Do. do.,	44,000	July 1, 1865
On account of North-Carolina Railroad bonds running thirty years,	500,000	Jan'y. 1, 1883
Do. do.,	500,000	July 1, 1883

On account of North-Carolina Railroad bonds, running thirty years,	500,000	Jan'y. 1, 1884
Do. do.,	130,000	July 1, 1884
Do. do.,	370,000	Jan'y. 1, 1885
Do. do.,	1,000,000	April 1, 1885
Fayetteville and Centre Plankroad bonds, running twenty years,	20,000	April 1, 1875
Do. do.,	10,000	July 1, 1876
Fayetteville and Warsaw Plankroad bonds, running twenty years,	4,000	July 1, 1875
Tar river under act of 14th February, 1855, bonds running thirty years,	15,000	Jan'y. 1, 1886
Lunatic Asylum, bonds running ten years,	40,000	Jan'y. 1, 1866
Do. do.,	19,000	July 1, 1866
Atlantic and North-Carolina Railroad bonds, running thirty years,	500,000	Jan'y. 1, 1886
Do. do.,	33,000	Jan'y. 1, 1886
Western and North-Carolina Railroad bonds, running thirty years,	200,000	Jan'y. 1, 1886
Bonds for money carried to Public fund by resolution of General Assembly,	40,360 <sup>55</sup>	
Bond for money borrowed of the Literary Board,	15,442	Oct'f. 1, 1886
	\$ 5,038,802 <sup>55</sup>	



The books of the Treasury further show an indebtedness by the State to the Literary Fund, on *account*, on the 1st November, 1856, of \$140,412.86. It is proper to state that this amount should be increased by about the sum of \$30,632.32, for interest on bonds of the State, held by the Literary Board as above set forth, and also upon coupon bonds of the State, purchased and now held as part of the Literary Fund. Further reference will be made to the matter before concluding this communication.

By virtue of legislation at the last General Assembly, State bonds for the following amounts are yet to be sold, and the proceeds applied as follows :

Fayetteville and Albemarle Plankroad, running 20 years,	\$ 20,000
Fayetteville and Warsaw Plankroad; running 20 years,	6,000
Atlantic and North-Carolina Railroad, for balance of State's subscription, 30 year bonds, and which will probably all be called for in the ensuing year,	533,600
Western North-Carolina Railroad, 30 year bonds, for balance of State's subscription, and which will probably be called for before the meeting of the next General Assembly,	600,000
Insane Asylum, 20 year bonds, will be required at an early day,	21,000
	<hr/>
Total;	\$ 1,180,600

By virtue of an act passed at the last General Assembly, \$20,000 was subscribed to the stock of the Yadkin Navigation Company, of which \$5,000 has been paid; and under the provisions of a similar act, \$20,000 was subscribed to the stock of New River Navigation Company, of which \$10,000 has been paid—leaving to be paid the sum of \$25,000.

The payments above were made out of ordinary funds in the Treasury, there being no provision for raising the money

in any other way; and the above balance must be paid in the same manner, unless other provision is made therefor.

The State is bound as endorser, as follows:

On bonds of the Wilmington and Weldon Railroad Company,	\$ 250,000
On bonds of Cape Fear and Deep River Navigation Company, falling due in the year 1885,	300,000
On bonds of Chesapeake and Albemarle Canal Company, falling due in 30 years,	250,000
	\$ 800,000

The State is secured by mortgages, according to the several acts of Assembly directing the above endorsements.

Of the amount last named, \$50,000 only of bonds has been endorsed and delivered by the Public Treasurer. But the whole amount is put down as the company has given the certificate of the requisite subscription of stock in the same, and executed the mortgage required by the charter, to entitle it to the endorsement of its bonds, to the amount stated, when called for.

The interest has for many years been paid promptly, by the first named company, and its present prosperous condition removes all doubt as to its ability to pay for the future. The interest has also been paid on the bonds of the Cape Fear and Deep River Company. The bonds of the latter company have been issued within the past six months.

From information unofficially received it is highly probable that the Wilmington, Charlotte and Rutherford Railroad Company will so far comply with the terms of its charter, granted at the last session of the General Assembly, as to enable it to call upon the State for the endorsements of its bonds—as to the probable amount of such endorsement, or the times when they may be called for, I am not able now to give any definite information. It is proper, however, to refer you to the charter of the company, and to say that, more definite information will be laid before you during your session, should it come to my possession.

I may also refer you to the charter of the Western North-Carolina Railroad Company, by which the State is pledged to subscribe two-thirds of the stock for the sections hereafter to be built, should private stockholders subscribe one-third.

In this detail of the present and prospective indebtedness of the State I have omitted temporary loans by, and indebtedness to, some of the Banks of the State, authorized by resolutions of the last General Assembly. These liabilities are fluctuating, and will more properly appear in the report of the Public Treasurer.

To meet these liabilities, besides the means to be derived from taxation and other ordinary sources of revenue, the State owns the following stocks and effects:

Raleigh and Gaston Railroad stock, <i>par value</i> ,	\$487,500
North-Carolina Railroad do. “	2,000,000
N. C. Railroad preferred 6 per cent. “	1,000,000
Atlantic and N. C. Railroad <i>paid for</i> “	533,000
Western N. C. Railroad do “	200,000
	<hr/>
Railroad stocks,	\$ 4,220,500
Fayetteville and Western Plankroad stock, <i>par value</i> ,	\$120,000
Fayetteville and Warsaw, <i>par value</i> ,	10,000
Fayetteville and Albemarle paid for,	30,000
	<hr/>
Plankroad stocks,	\$ 160,000
New River Navigation Company stock, <i>par value</i> , and paid for,	\$10,000
Yadkin Navigation Co. paid for, “	5,000
Cape Fear and Deep River Navigation Company <i>par value</i> ,	160,000
	<hr/>
Navigation stocks,	\$175,000
The State also holds the bond of the Wilmington and Weldon Railroad Company, upon which the interest is regularly paid, for	\$50,000.00
Also two bonds of the Seaboard and Roanoke Rail- road Company, each for \$5,387.14, dated Janu-	



ary 3d, 1851, payable in two and four years—	
interest payable semi-annually,	10,774.28
	<hr/>
	\$ 60,774.28

No interest has been paid on these last named bonds, and the last General Assembly extended the time for payment of principal and interest on the first bond to 3d January next, and should the same be then paid the time for the payment of the principal and interest on the other bond was extended to the 3d January, 1859.

In this connection it may be proper to say that \$40,000 was appropriated to the improvement of Neuse river, and that after making the survey of the river, the balance was subscribed as directed to the stock of the Neuse River Navigation Company.

No report has been made to me by the President of the company, as required by the charter. But I learn unofficially, that no practical benefit has resulted from the expenditure, and that the property and effects of the company have all been sold under execution.

By virtue of the act of 1848-'9, \$25,000, and by the act of 1854-'5, \$15,000 were appropriated and raised by the sale of bonds for the improvement of Tar river, to be expended under the direction of commissioners appointed by the Governor. No provision was made for charging tolls on the river, and the sum expended is not included, therefore, among the stocks owned by the State.

The Western Turnpike is owned entirely by the State, and will be noticed more particularly hereafter.

The State has also some inconsiderable amount of stock in Turnpike companies which have not lately been, nor are likely to become, profitable or of much value.

It is hardly necessary to add that the other Railroad and Navigation stocks owned by the State constitute a part of the literary fund.

The receipts into the Public Treasury for the two last fiscal

years, ending the 31st October, 1856, are stated as follows, from the books of that office :

	FISCAL YEAR 1854-'5.	FISCAL YEAR 1855-'6.
Raleigh and Gaston Railroad dividends,	\$30,712 50	\$29,250 00
Fayetteville and Western Plank-road do.,	4,800 00	4,800 00
Tax on Attorney's license,	565 60	535 80
Tax on Bank stock,	7,973 25	14,182 33
Int'est on Wilm'n & R. R. R. bonds,	3,000 00	
Cherokee bonds,	963 00	1,300 00
Public tax,	279,255 68	341,833 84
	\$ 327,270 03	\$ 391,901 97

To the item for public taxes received for the last fiscal year should be added the sum of \$10,211.34, for defaults by sheriffs, the larger portion of which has been since paid, and the residue will be collected. It will appear also that the sum of \$3000, interest on the bonds of the Wilmington and Weldon Railroad Company, is not credited the last fiscal year. Properly speaking, it should have been—was omitted by a mere oversight; and will be found as a credit in the present fiscal year. Including these sums, the amount of revenue for the last fiscal year may be set down at \$405,113.31.

I regret to say that this amount will be less in the present fiscal year, in all probability, by the dividends received heretofore from Raleigh and Gaston Rail Road stock; and partially, if not entirely, on stock in the Fayetteville and Western Plank Road. No dividend was made at a late meeting of the stockholders of the former company, owing to the fact that, the earnings of the company were chiefly expended in heavy and extensive repairs to that portion of the road extending from Gaston to Weldon, which though lately built,



was so defectively constructed as to render these repairs indispensable.

The bridge over the Roanoke river, at Gaston, is also undergoing thorough repairs, and large sums will be required during the ensuing year for both purposes. It is expected, after these repairs are made, that the stock owned by the State in this company will again be remunerating.

No dividend has been made during the present year on the Fayetteville and Western Plankroad stock.

The construction of the North-Carolina Railroad has, it is said, impaired to a considerable extent, the business of the plankroad, and it cannot now be safely looked to for paying the handsome dividends which it formerly yielded.

It is confidently expected, that the North-Carolina Railroad will, ultimately, pay good dividends. It is hoped that it may pay some dividend at an early day, and thus measurably relieve the public treasury. But I am not sufficiently informed upon the subject at this time, to form a reliable opinion as to how soon such may be the case.

You will, however, probably, have such information laid before you during the session, as will enable you to determine whether any aid may be reasonably expected from that source, in making provision to meet the liabilities, present and prospective, of the State.

The ordinary expenses of the State government, for the two fiscal years, ending the 31st October, 1858, will not, I think, exceed \$170,000, or an average of \$85,000 per year. They will be more this year on account of your session, and less the next.

From the statements given, it will appear that	
the interest payable annually on the present	
bonded debt of the State is,	\$302,328 15
And upon bonds to be issued under existing	
laws, the greater part in the present fiscal	
year,	70,836 00
And unless provision is made for raising it other-	
wise, there must be paid out of the treasury,	

in all probability, for the Yadkin and New River Navigation Cos. the sum of \$25,000 00

It will be seen, therefore, that the present revenue of the State will fall short of meeting these liabilities, and that further provision should be made for that purpose.

I deem it a matter, too, of the first importance that provision should be made for the ultimate payment of the principal of the debt of the State, present and prospective, by creating a sinking fund sufficient to meet the several liabilities as they fall due.

Prudence and a wise forecast, as well as the experience of other States and governments, would seem to dictate such a course; and the debt can be more easily met and extinguished in this way. Looking to the present only, *policy* would seem to require it, if for no other reason than that of maintaining our credit unimpaired, and thus enabling us to use it readily and upon the best terms for extending our public works, or for other purposes. The effect of such a system would surely be to keep our State bonds *at par*, (a very important consideration,) and in all probability to put them at a premium.

I submit to your better judgment as to the best means to be adopted for raising such a fund; advising, however, if one be provided, that its arrangement shall be entrusted to a competent Board, with a secretary, the Public Treasurer to be made the Treasurer of the Board, but the funds to be kept separate and distinct at all times from the other funds of the State.

It has been already stated that it appears from the books of the Public Treasurer that there was due, on *account*, to the literary fund the sum of \$140,412 86 on the 1st of November, 1856, and that the State was further indebted to that fund for interest on sundry bonds, in the sum of \$30,632 32, or thereabouts, making the whole amount due \$171,045 18.

A considerable portion of the balance appearing on the books is principal money, and ought to be invested; how much does not appear from the account, but may be ascertained. This balance has been accumulating for some years. A

large portion of the interest mentioned above as not carried into the account, is due upon two bonds of the State, constituting the item of \$40,360 55 in the statement given of the bonded debt of the State. These bonds were executed by the Public Treasurer in the years 1848 and 1849, by virtue of a resolution of the General Assembly, in lieu of other funds belonging to the literary fund, which were transferred to the State Treasury. No interest has been paid upon these bonds. Calculated to the last semi-annual pay-day on same, the interest amounts to the sum of \$22,955 80. Under the circumstances presented, and in the present state of the Public Treasury, I respectfully recommend that this amount be converted into principal, and that the Public Treasurer be required to execute the bond of the State for the same to the president and directors of the literary fund, bearing six per cent. interest, payable semi-annually.

By the existing law on the subject, the coupon bonds of the State are payable to *bearer*, and no endorsement by an owner or holder is required for their transfer. The holder, for the time being, collects the coupon bonds for interest, and may collect the principal money when due. As a general rule, this provision is best, for bonds thus transferable are more saleable in the northern market. But it has been suggested to me by some of our own citizens, who have made permanent investments in these bonds, purchased either of the Public Treasurer or others, that where a holder or purchaser of a bond desires it, the Treasurer of the State should be required to note the number, date, and amount of the bond in a book to be kept for that purpose, and to whom it belongs, and also to endorse upon the bond that it is transferable only at his office by writing on the bond, witnessed by him.

It is generally the case that holders of these bonds, among our own citizens, have no safe place to keep them. They are liable to be lost, stolen, or destroyed by accident. The consequence is, that those who hold them feel insecure, and those who do not, fear to invest in them. It seems to me, such a provision should be made, and every inducement held out to our own citizens to make investments in these securities.



It gives me pleasure to inform you, that by means of the liberal aid extended by the last General Assembly, our main lines of railroad improvements are being extended east and west as rapidly as circumstances will allow. On the 12th of September, 1855, a subscription on behalf of the State of \$1,066,600 was made to the stock of the Atlantic and North-Carolina Railroad Company, of which the sum of \$533,000 has been paid by sale of State bonds.

The whole road from Goldsborough to the terminus at Shepard's Point, on Beaufort Harbor, is under contract; a large portion of it is graded, and another portion extending ——— miles west, from the town of Newbern, has been laid with iron, and is now in use.

On the 20th September, 1855, a subscription of \$800,000 was also made by the State to the stock of the Western North-Carolina Railroad Company, of which, the sum of \$200,000 has lately been paid by sale of bonds. The greater part of the line of this road has been surveyed, and the portion of it from Salisbury to a point near Statesville, and thence to the west bank of the Catawba river, has been located and let out to contractors, and a considerable portion of it has been graded. Fuller information as to these works, will, no doubt, be laid before you by the respective companies during your session.

I have been promised a full report as to the operations on Deep river, and regret that I have not an opportunity to lay the same before you at this time. Some of the works on the river were damaged to some extent, during the present year, by high water; but not to the extent that was at first supposed.

I was invited, during the present fall, by the directors of the company, to go upon the line of the works and see the extent and progress of the improvement, but my engagements were such that I could not do so. It is represented to me by one of the State's directors, that the ultimate practicability of the work is beyond a doubt, and that safe steamboat navigation has been obtained to Lockville, on Deep river: that above this point, a heavy stone lock has been

deemed advisable, by the engineer in charge; and when that is completed, that the navigation will be open to the coal-fields. But that some of the older works must be replaced, to a considerable extent, by new ones of a more substantial character, and that to complete all the work contemplated and relieve the company of an outstanding debt of about \$100,000, which has greatly embarrassed the company in its operations, a further sum of about \$300,000 will be requisite.

I can only add, that when more definite information as to this important work is received, it shall be promptly laid before you. A report is soon expected from the commissioners appointed to superintend the work on Tar river, which, when received, will be laid before you.

It is my purpose also, in a short time, to submit to you reports of other companies, including one from the agent to superintend the construction of the Western Turnpike. He informs me that all of the road from Asheville to the Tennessee line, near the Duck Town Copper Mine, has been completed, excepting about 200 yards, near Waynesville, in the county of Haywood, in relation to which a suit at law is now pending.

I know not what calls may be made upon you, at the present session, for further aid to works of internal improvement. I have heretofore expressed the opinion that the State should furnish liberal aid to works of the kind, extending them as rapidly as she can, consistently with her means of doing so. It was upon this principle that the last General Asssmbly acted, and such I believe will be the future policy of the State. Whether further appropriations should be made at this session, and if so, to what extent, is more especially your province to determine, and is submitted to your wisdom and better judgment.

During the present year, the State Geologist, Dr. Emmons, made known to me his readiness to prepare a report of his survey of the State, so far as completed; and the matter having been brought to the attention of the Literary Board, under whose supervision the law required the report to be published, Dr. Emmons was requested to prepare it for pub-



lication; and the Board determined to have 1,000 copies printed and bound in boards, with suitable plates and explanatory maps.

The work was put to press as prepared and furnished in sheets—has all been printed, and is now in the hands of the binder, and will be ready in a short time to be laid before you.

It was deemed advisable to publish the report in the manner stated, as it will be no doubt found worthy of a place in our own public and private libraries, as well as in those abroad; and it was supposed that the number ordered to be published, would furnish a sufficient supply for distribution, leaving copies enough to reimburse the State for the cost of publication, should the Legislature order them to be sold. A statement of the costs of publication will be sent in with the report. There was unexpended and in the Treasury, of the amount appropriated for making the survey, a sum more than sufficient to defray all the expense of publication.

For reasons already stated, I have not been able to read the report; but I have reason to believe that it will be found of much interest, not only to the man of science but to the general reader. The mineral resources of the State, especially, will be fully made known, and it will be seen that, in this respect, our State is second to only one in the Union. In some other respects the report is incomplete, and more time and further examinations are necessary.

It is due to Dr. Emmons to state that for the past two years or more, he has had but one assistant, instead of two, as originally contemplated; and that during the present year a considerable portion of his time has been necessarily devoted to the preparation of his report. In compliance with the resolution of the last General Assembly, he has also collected and arranged a cabinet of rare and beautiful minerals, which may be seen in the west wing of the capitol, and which will be found well worthy of your examination.

Deeming it a matter of much importance, that the survey commenced, should be completed, I respectfully recommend that the act passed for the purpose, by your predecessors, be not repealed. I know that many of our fellow citizens in-

cline to the belief, or perhaps do believe, that no benefit will result to the State from what has been done or what may be done if the work is farther prosecuted. Such is not the opinion of scientific men, or at least of some of them. I have before me, now, a letter from one of the most eminent geologists and chemists in the country, speaking in the highest terms of the scientific discoveries of Dr. E. in this State, and of the successful manner in which he had conducted the survey. In conclusion, he says, "the time will come, if the Legislature perseveres in carrying forward this survey, and prints the reports properly, when the State will be proud of this work;" and further, "I do not know of a single instance, in which the people of any State has ever regretted the expenditure of money in a geological survey, nor one where the good effected has not been immensely beyond the pecuniary cost of the work."

By the provisions of the act entitled "an act to amend the constitution of North-Carolina," passed at the last session of the General Assembly, the Governor of the State was required to give notice of the passage of the same to the people of the State, by proclamation, which was to be published, together with a copy of the act, in ten newspapers in the State, at least six months before the election of members to the General Assembly.

In accordance therewith, my proclamation, accompanied by a duly certified copy of the act, was issued on the 24th of January, 1856, and published for six months thereafter consecutively, in the North-Carolina Standard, Raleigh Register, Democratic Pioneer, Warrenton News, Daily Journal, North-Carolinian, Fayetteville Observer, Greensboro' Patriot, Salisbury Banner and Ashville News.

The propriety of making the proposed amendment to our constitution has undergone so much discussion throughout the State for some years past, and my own opinion has been so often publicly expressed in its favor, that it is hardly necessary for me to say more upon the subject at this time, than to bring the matter to your attention, and earnestly recommend the speedy passage of the bill, by the requisite constitutional

majority, in the shape that it passed the last General Assembly, and that you will, in conformity to the provision of the constitution on the subject, "prescribe a mode by which the amendment may be submitted to the qualified voters of the House of Commons throughout the State," for their approval or disapproval by their votes.

At the last Session of the General Assembly, bills were passed to re-charter the bank of Cape Fear and the bank of the State of North Carolina. I was duly notified on the 2nd April, 1855, that the stockholders in the Cape Fear bank accepted the renewal of their charter. I am unofficially informed that the stockholders of the bank of the State declined to accept of the new charter granted to that bank.

By the terms of the present charter their corporate powers will cease on the 1st January, 1860. If this bank should go into liquidation, it would, in my opinion, be highly expedient to charter, at this session, some other banking institution to take its place, as well for the purpose of supplying banking facilities to the public as to enable the State to make a safe and profitable investment of the proceeds of her stock in the present bank, constituting as it does a large and very productive part of the literary fund.

Should a new charter not be granted to the present bank, I respectfully recommend to you to charter a new institution, with about two millions of capital, based upon the same general principles, with such guards and restrictions as experience may have shown to be necessary; placing neither severe and unusual restrictions upon the bank, nor on the other hand, extending to it privileges and immunities over and above individuals, unless necessary and proper for the successful conduct of its business.

It is believed that such an institution properly managed would answer our wants in furnishing a sound currency, afford a safe and profitable investment for our literary fund, and at many times be of essential service to the State in a financial point of view.

Thus thinking, it would, in my opinion, be safer to act upon



the experience of the past, than to venture upon any untried experiments.

A proper administration of justice in the several counties of the State is a matter of acknowledged importance. A fair amount of labor is due, and is expected, from our judicial officers; but more than this should neither be expected nor required, either on grounds of policy or of justice to meritorious public servants. For if more labor is required of a Judge than he can well perform, any one who has had experience in our courts well knows that it results in an accumulation of cases upon the docket, increasing the expenses of the counties, and rendering extra terms of the courts necessary, and causing to suitors a large accumulation of costs and expenses.

Looking to the present arrangement of our Superior Court circuits, it seems to me that an additional judicial circuit, making the 8th, should be established.

The number of counties in the several circuits is as follows :

1st circuit,	10	counties.
2d do.	11	do.
3d do.	10	do.
4th do.	12	do.
5th do.	12	do.
6th do.	14	do.
7th do.	15	do.

Eight of the fifteen counties in the 7th circuit are mountain counties, west of the Blue Ridge, covering a large territory, traversed by many ranges of smaller mountains, with indifferent roads, rendering the travel difficult and laborious. In addition to this, it will be seen that, from the present arrangement of the courts of this circuit, any Judge riding it will necessarily have to cross the Blue Ridge four times. With such a circuit and such labors to perform, we may well imagine that a Judge, however diligent and laborious, would be worn down, and, in a great degree, unfitted for the performance of his duties, towards the latter part of it.

This need of a new circuit has arisen from the creation of new counties in the 6th and 7th circuits; but as the country is settled up, especially in the mountain part of the 7th cir-



cuit, other counties will be required and made, and the evil will be thus increased,

I am aware that this matter was brought to the notice of the last General Assembly, and that it failed to establish another circuit; but as a matter of fairness to our Superior Court Judges, allowed them, in addition to their regular salaries, the sum of \$90 for each court held by them on a circuit over and above twelve.

But for the reasons stated, it seems to me that a new circuit should be established. It will be seen that, by reason of the act of the last session, there will be five extra courts to be paid for in the 6th and 7th circuits, making for each year the sum of \$900, nearly half the salary of a Judge. No additional expense would be incurred for another solicitor, as, under the law, solicitors receive so much for every court they attend.

I would, therefore, suggest that the eight counties beyond the Blue Ridge, now belonging to the 7th circuit, and one county on this side of the mountains, (McDowell, I think, would be the most convenient,) shall constitute the 8th circuit, and that out of the six remaining counties of the seventh and the fourteen counties of the 6th circuit, two circuits, the 6th and 7th, shall be made.

Accurate statistics of crime in a State are always a matter of deep interest to many, and furnish most useful information to those whose duty it is to make our criminal laws, or to have them enforced. Since I have been Governor of the State, I have been called upon repeatedly, from abroad, to furnish such information as to this State, but was unable to do so.

I deem it a matter of sufficient importance to bring it to your notice, and recommend that some means should be adopted to have reported, at least, all trials for capital felonies. This may be done very readily by requiring the solicitors in each judicial circuit to report all such cases to the Attorney General of the State, who should be required to report them, together with the cases in his own circuit, to the Governor of the State, to be laid before each General Assembly.

Under a resolution of the last General Assembly, I was re-

quired to appoint two commissioners to superintend the publishing of the Revised Code. B. F. Moore and William B. Rodman, Esquires, were appointed for that purpose. The work was printed in Boston, and owing to the severity of the last winter, could not be shipped to this State as early as the first of January last, when it took effect as the statute law of the State. Some of the volumes were damaged at sea by stress of weather. Those directed to be distributed in this State and to the other States and territories were dispatched at as early a day as practicable. Of the residue, but a small portion comparatively, has been sold. The greater part of those on hand is stored in boxes in the Capitol. At an early time I will submit a more detailed statement relating to the whole matter.

Under the resolution directing distribution among the justices of the peace, copies were only furnished to those whose names were returned by the clerks on their lists. Many of those appointed by the last General Assembly qualified after the list of magistrates was sent up by the respective clerks. By the terms of the resolution I was restricted to the list furnished. I therefore recommend that all those magistrates appointed by the last General Assembly who qualified subsequently, shall each be furnished with a copy of the Code.

There is no provision now for sending our laws, as published, to the different departments of the general government. I have been applied to for them by one or more of the departments, but was unable to furnish them. I therefore recommend that provision be made for that purpose.

It is important to know, at many times, what our law is, and moreover, it would be but an adequate return for many valuable books sent to us by the general government.

I communicate herewith a copy of the third annual report of Mr. Wiley, State Superintendent of Common Schools, being his report for the year 1855.

I am informed by him that his report for the present year will be made at an early day.

The one herewith sent will be found to contain much valuable information on the subject of education in the State, and

especially as to the condition and prospects of our common schools, and many valuable suggestions are made for the improvement of the system.

The statements made from pages 33 to 37 of the report, inclusive, and the table at the end of the report are especially interesting. Copies of this report will be laid on your desks.

By the census of 1850, it appears that the number of white persons in the State between the ages of 5 and 21 years, was 215,453. Mr. Wiley reports the whole number of children at the common schools, in 73 counties in the State (from returns to him) for the year 1855, to have been 112,632. Estimating for the few remaining counties, he gives the whole number of children at these schools, in the State, at about 130,000—and at other schools and colleges in the State, about 10,000—making the whole number at school in the State about 140,000. Unless he is mistaken in these statements, and I do not believe that he is, the day is not distant, not more at farthest than one generation, when we shall no longer be reproached for the ignorance of our people, but all, or nearly all, will be able, at least, to read and write.

An opinion has prevailed to some extent in the State that the common schools have hitherto been of little benefit, and that this small benefit has been more than counterbalanced by the injury resulting therefrom to other schools—that most of these have been destroyed—and that in their places we have the common schools but for a small portion of the year. This may be true to some extent and in some localities. But the evil, if it be one, I am satisfied, is much less than many have supposed. Inferior schools have, in many and, indeed, in most counties, been superseded by the common schools. But this report shows that private schools and academies have increased largely, and are still on the increase.

I am satisfied from my own observation, (and in the two years last past I have had ample opportunity to observe, in traversing every section of the State,) that the number of schools, male and female, especially the latter, of a high grade, is rapidly increasing in every part of the State, and I have



observed it with pleasure as one of the best and surest indications of the progress of our people.

Before leaving this subject I deem it but an act of justice to the Superintendent of common schools to say that, in my opinion, he has been diligent, faithful and conscientious in the discharge of his duties as such—that he has done much already to introduce order, harmony and uniformity into the system, and that he is zealous and active in endeavoring to carry out further plans for its improvement.

No State, so far as I am informed, has successfully put in operation a common school system, without a Superintendent or some officer of the kind; and it is believed that such an officer is essential to the success of our own.

By the law as it now stands, the Governor is to have printed 150 copies of the annual report of the Superintendent, 50 copies whereof he is to distribute among the public offices and libraries of the State, and colleges, and such other literary institutions, in and out of the State, as he shall deem proper. The residue to be delivered to the Superintendent for distribution by him “in such manner as will best promote the cause of common education in the State.” This number, for general distribution, is entirely too small to effect the purpose designed. The additional cost of a larger number, would be only that of the additional paper and press work, which is comparatively small. The type setting constitutes the main item in the cost of publication. A sufficient number should be published to supply most of those who are connected with, or take an active interest in, our common schools; the expense of printing and publishing to be paid out of the literary fund.

The literary board, seeing the propriety of such a thing, deemed it not beyond its powers, to order 850 additional copies to be struck off, which was done at a trifling cost—and it is out of these only that copies can be supplied to the members of Assembly.

The literary board distributed among the several counties of the State for the support of common schools the sum of \$180,880 for the year 1855, and the like amount for the year



1856 ; with half that amount required to be raised by taxation in the respective counties, for like purposes, we have the sum of \$271,320 applied to common school purposes in each of these years.

The sum of \$8,000 out of the literary fund was also appropriated each year, for the use of the institution for the deaf, dumb and the blind.

Applications have, from time to time, been made to me by the principals of schools in different sections of the State, to be furnished with arms for their pupils from the State arsenals, with a view to making military tactics a part of their instruction. The law making no provision for such cases, I was compelled to refuse a compliance with all such applications. Arms suitable for schools may be obtained from the general government in part of the State's annual quota of arms derived from that source.

I recommend that the Governor of the State be authorized to furnish such arms to schools, bonds being given for their safe keeping and return, as in the case of volunteer companies.

A knowledge of the duties of the soldier, in a country like ours, having no regular military system, is highly important. Every citizen is liable to be called upon to discharge these duties, and if properly instructed in his youth, would be ready in manhood, at his country's call, to step forward either for command, or to serve as a well-drilled soldier in the ranks. For an American citizen, that system of education is most perfect which enables him to perform his duty best under any and all circumstances.

It is an entire mistake to suppose that such a system would foster a military spirit dangerous to the peace and good order of the country. It has been practically introduced in many of the States of the Union with no such results, but on the contrary, with marked benefit.

The Asylum for the Insane, though yet incomplete, is now in successful operation, and has as its inmates some eighty-five patients. Several of those who have been inmates have been restored to their reason and discharged ; some few deaths have occurred.

I have every reason to believe, that the general management of the institution under the present superintendent, Dr. Fisher, has been good. The institution will be well worthy a visit from your members, when you will be able to see, for yourselves, its system and general economy. More definite information will be given in the report of the directors, which will be laid before you at an early day.

At the Institution for the Deaf and Dumb and the Blind, there are some thirty-seven pupils. The same general remarks will apply to this institution, and a report will be submitted to you by the directors thereof.

The revenue law, passed at the last session, has, in several respects, been found difficult to construe, and needs revising and explaining in many particulars. Some of the difficulties arising under it, will present themselves on a careful examination. Others can be pointed out by the accounting officers of the State, to whom questions of practical difficulty have often been presented by the officers whose duty it is to collect the public taxes.

It is of the first importance that these difficulties should be removed, in order that our taxes may be uniform, and also for the reason that in cases of doubt, the State is usually the loser; the collecting officers not being willing to collect the tax by distress and incur the risk of a suit by the owner of the property distrained.

Since your last session, Mr. Attorney General Ransom tendered his resignation, which was accepted, and Joseph B. Batchelor, Esq., with the advice of the council of State, was appointed to fill the vacancy. It will be your duty to elect an Attorney General, to enter upon the duties of his office after your session shall have ended.

State Solicitors are also to be elected for the 1st, 6th, and 7th judicial circuits.

I herewith transmit to you a letter and enclosures therein addressed to me by the Hon. John H. Wheeler, minister to the republic of Nicaragua, in relation to the forcible seizure, on or about the 18th July, 1855, of certain slaves of his by persons in Philadelphia, while he was passing through it, on

his way to New-York city, from which place it was his purpose to embark for Nicaragua. These slaves were the domestic servants of Mr. Wheeler and family, and it was his intention to take them abroad with him as such. Their seizure and removal violently and against the will of the owner, and under the circumstances stated, was a high handed outrage, and is believed not to have been warranted, even in a *civil* point of view, by the laws of Pennsylvania. I have received a subsequent letter from Mr. Wheeler, in which he states that he has caused an action for damages to be instituted against one of the parties to the act complained of, and he expresses the hope that this State will aid in the prosecution of it, as has been done by others States under similar circumstances.

It is important that the question should be determined by the highest judicial authority in the country. I recommend the matter to your favorable consideration.

By virtue of a resolution passed at the last session, the Hon. David L. Swain was appointed by me, as agent, to procure documentary evidence of the history of the State. The matter is mentioned now merely to say that a more particular and definite communication on the subject will be submitted in the course of the session.

The Governor was also authorized to procure a copy of "Tryon's North-Carolina papers" from Harvard College. Gov. Swain was kind enough to undertake this duty also, and procured a copy of Tryon's letter book, while Governor of the province of North-Carolina, which is now in his possession, and of which more definite information will be given in the above promised communication.

In compliance with a resolution, also passed at the last session, I have addressed a circular letter to the Governors of most of the Atlantic States, asking for the information desired as to State Marine Hospitals, where any such exist. Answers have been received from the Governors of several States, in which there are no such establishments owned by the States, and it is doubted whether such an institution will be found in any of the States.



An appropriation was made at the last session of \$5,500, for the purpose of adding a wing to the Governor's house and repairing the house and premises generally—the money to be expended under the Board of Superintendents of public buildings. The house has been greatly improved in comfort and appearance by the addition and repairs, and the whole premises are now in good order. There is yet an unsettled balance due the contractor for work on the main building; but it will be found that the whole work has been executed for about \$1000 less than the sum appropriated.

Three sets of resolves from the State of New-Hampshire, one from the State of Ohio, and one from the State of Massachusetts, were forwarded to me by the Governors of those States, with a request that they be laid before you. It will be seen that all relate to Kansas and slavery and kindred subjects, except one set of the resolves from New-Hampshire, relating to the importation of foreign paupers and criminals and to the naturalization of foreigners.

The resolves in relation to slavery, &c., indicate such a state of the public mind in the States from whence they emanate, as to render it worse than useless in my opinion to undertake any reply to them.

I would most respectfully recommend that no farther notice be taken of any of these resolves.

The already great length of this communication reminds me of the propriety of bringing it to a close. I will do so with the single remark that I hope all your deliberations may be characterized by harmony and courtesy, and that your labors may result in promoting the welfare and prosperity of the State.

THOS. BRAGG.

EXECUTIVE DEPARTMENT, }  
Raleigh, Nov. 17, 1856. }

Which being read was,

On motion of Mr. Blow,

Sent to the Senate with a proposition to print ten copies for each member.



The Senate having proposed, by message, to raise a joint committee of rules of order, etc., the House concurred therein, and the Chair appointed Messrs. Lewis of W., Ferebee and Humphrey on the part of the House; thereupon the Senate informed the House that Messrs. Eaton and Hill had been appointed in behalf of that body.

The House then proceeded to vote, *viva voce*, for a State Printer; with the following result. The following named members voted for HOLDEN & WILSON, viz:

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bullock, Cansler, Clark, Cotten, Cox of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Ward, Waugh, White of Sampson, Whitson, Williamson and Withers—72.

The following named members of the House voted for BURR & LONG, viz:

Messrs. Benbury, Caldwell, Cox of Perquimons, Crump, Dargan, Eborn, Eller, Elliott, Ferebee, Folk, Foster, Gaither, Hall, Houck, Jennett, Leach, Leitch, Little, Mabry, Mann, Martin, McIntosh, Meares, Pickett, Richardson, Rumley, Scott, Siler, Slaughter, Speer, Stiles, Stubbs, White of Cabarus, and Wilson—34.

Mr. Waddill voted for JOHN W. CAMERON—1.

On motion of Mr. Humphrey,

*Ordered*, That the morning sessions of this House shall hereafter begin at 10 A. M.

Mr. Jenkins, from the joint committee to superintend the vote for State Printer, reported that one hundred and fifty votes had been cast in the said election, of which seventy-six votes were necessary to a choice; that Holden & Wilson had

received one hundred and three votes, Burr & Long forty-five votes, John W. Cameron one vote, and William Lawrence one vote; and that Holden & Wilson had been duly elected; in which the House concurred; and then,

On motion of Mr. Jenkins,

And at 2 o'clock and 33 m. the House adjourned.

WEDNESDAY, 19th NOVEMBER, 1856.

Another member, viz: Mr. Edmund W. Ogburn, from the county of Guilford, appeared, was sworn, and took a seat in the House.

The Speaker announced that he had appointed the following committees, viz:

A committee upon Claims, consisting of Messrs. Humphrey, Johnston, Mosely, Hackney, Strayhorn, Houck, Reeves, Stiles, Rankin, Eller and Jennett.

A committee upon Private Bills, consisting of Messrs. Waugh, Patterson, Leitch, Crump, Tomlinson, Outerbridge, Southerland, Eborn, Wilson, Jarvis, Speer, Matthews, Clark and Martin.

A committee upon Internal Improvements, consisting of Messrs. Erwin, Foster, Meares, Montgomery, Waddill, Davidson, Jones, Jeffreys, Bethea, Glass and Mann.

A committee upon Education, consisting of Messrs. Scales, Lewis of W., McIntosh, Ogburn, Love, Dancy, Blow, Elliott, Little, Ferebee and Holmes.

A committee on Propositions and Grievances, consisting of Messrs. Hargrove, Masten, Whitson, Rumley, Benbury, Cansler, Lyon, of O., Richardson, Stewart, Gentry and Pearson.

A committee on Agriculture, consisting of Messrs. Dancy, Cox, of P., White, of C., Withers, Lyon, of G., Hall, White, of S., Blanton, Pickett, Williamson and Moore.

A committee upon Privileges and Elections, consisting of Messrs. Morrison, Dills, Gaither, Rushing, Bynum, Mabry, Harrell, Ward, Parker, Lewis, of N., and Siler.

Bills of the following titles were then introduced, read the

first time for information, passed, and ordered as follows, viz:

By Mr. Holmes: A bill (No. 1) to repeal the eleventh section of an act, passed in 1854-'55, entitled "an act to empower the commissioners of the town of Wilmington to establish streets in said town, and for other purposes."

By Mr. Caldwell: A bill (No. 2) to establish the People's Bank. Ordered to be printed.

By Mr. Leach: A bill (No. 3) to repeal the R. C., chapter 36, title Currency, ss. 5 and 6.

On motion of Mr. Hill of Halifax,

A message was sent to the Senate proposing to proceed forthwith to the election of an Engrossing Clerk, and informing that body that LOUIS W. JOYNER and ROBERT OATS were nominated in this body.

Another member, viz: Mr. Francis P. Glass, from the county of Burke, appeared, and being sworn, took a seat in the House.

On motion of Mr. Settle,

*Ordered*, That there be a standing committee appointed upon the subject of constitutional reform; whereupon,

The Speaker appointed thereto, the following named members, viz:

Messrs. Settle, Hill of S., Dargan, Folk and Mason.

On motion of Mr. Hill of Halifax,

*Ordered*, That a message be sent to the Senate, proposing to establish the joint committees following, viz:

A committee upon Swamp Lands;

A committee upon Cherokee Lands;

A committee upon the Library;

A committee upon the Asylums;

A committee upon Military Affairs; each of which shall consist of three members of the Senate, and two of the House; also,

On motion of Mr. Lewis of Wake,

The following, viz:

A committee upon Corporations;

A committee upon the Currency; and

A committee upon Finance; each of which shall be com-

posed of three members of the Senate, and five members of the House.

A joint resolution of the following title was introduced, read for information, passed, and referred to the committee upon claims, viz:

H. R. 41, in favor of Thomas Diggs, of Anson county.

The Senate agreed by message, to the proposition to proceed forthwith to the election of an Engrossing Clerk, and informed the House that Messrs. Martin and Jones of that body, would superintend the same on their part; whereupon,

The Speaker appointed Messrs. Dargan and Hill on the part of the House.

The House then proceeded to vote for an Engrossing Clerk, the result of which was as follows. The following named members of the House voted for LOUIS W. JOYNER, viz:

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clark, Cox of Jones, Dancy, Davidson, Dills, Erwin, Glass, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rushing, Sauls, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Ward, Waugh, White of Sampson, Whitson, Williamson and Withers—70.

The following named members of the House voted for ROBERT OATS, viz:

Messrs. Benbury, Caldwell, Cox of Jones, Crump, Dargan, Eborn, Eller, Elliott, Ferebee, Folk, Foster, Gaither, Houck, Leach, Leitch, Little, Mabry, Mann, Martin, Matthews, McIntosh, Meares, Ogburn, Pickett, Richardson, Scott, Siler, Slaughter, Speer, Stiles, Stubbs, Waddill, White of Cabarrus, and Wilson,—34.

Mr. Hill of Halifax, from the joint committee to superintend the election of an engrossing clerk, reported that one hundred and forty-two votes had been cast; that Mr. Joyner



had received one hundred and two, and Mr. Oats forty-six votes; and that Mr. Joyner had been duly elected an engrossing clerk; and this report was concurred in.

The Senate proposed by message, that when the two houses adjourned to-day, they would meet on Friday next; and also proposed to proceed forthwith to the election of a Secretary of State, William Hill of Wake, having been nominated in that body for the office.

The House concurred, and

Thereupon, Messrs. Holmes and Benbury were appointed to superintend the election of a Secretary of State in this body; and a message to that effect ordered to be sent to the Senate.

The Senate then by message informed the House that Messrs. Wilder and Thomas of Davidson, would superintend the election in that Branch, and the voting would begin upon the return of the messenger. The messenger then withdrew.

The following members of the House voted for WILLIAM HILL, viz:

Mr. Speaker, Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Caldwell, Cansler, Clark, Cox of Jones, Cox of Perquimons, Crump, Dargan, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Ferebee, Foster, Gaither, Gentry, Glass, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leach, Leitch, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, Martin, Mason, Masten, Matthews, McIntosh, Meares, Montgomery, Moore, Morrison, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scott, Settle, Siler, Slaughter, Smallwood, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, Whitson, Williamson, Wilson and Withers,—106.

Mr. Benbury, from the joint committee to superintend the

election of a Secretary of State, reported that one hundred and forty-seven votes had been given in the said election, all of which had been for William Hill of Wake, and that he had been unanimously elected. The House concurred in this report, and then,

On motion of Mr. Dargan,

And at 1 o'clock and 5 m., adjourned, to meet on Friday next, pursuant to the agreement with the Senate.

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FRIDAY, 21<sup>ST</sup> NOVEMBER, 1856.

The following additional members, viz :

Mr. George M. White, from the county of Bladen, and Mr. Leander Q. Sharpe, from the county of Iredell appeared, and being sworn, took seats in the House.

The following petitions were introduced, read, and referred as follows, viz :

By Mr. Hall: the petition of James Murphy and others, praying an amendment to the charter of the town of Salisbury. To the committee on propositions and grievances.

By Mr. Erwin: the petition of J. B. Sawyer, and others, praying the General Assembly to extend the North-Carolina Railroad, west of the Blue ridge, and for other purposes. To the committee on internal improvements.

On motion of Mr. Montgomery,

*Resolved*, That the Governor be requested to communicate to the House all the information at his command concerning the Geological and Agricultural Survey, and especially the names of the counties surveyed and lectured in and omitted, and whether wholly or in part, and the cost of the survey up to this time.

Mr. Hill, of Halifax, from the committee upon rules of order, etc., reported the rules set forth in the appendix, and the question being, shall this report be concurred in, it was decided in the affirmative.

Mr. Lewis of Wake, from the joint committee upon the same subject, reported the joint rules set forth in the appen-

dix, and the question being, shall the House concur therein, it was decided in the affirmative.

Bills of the following titles were introduced, read for information, passed, and referred or disposed of as follows, viz:

By Mr. Ferebee: A bill (No. 4) to revive and amend an act, entitled "an act to incorporate the Camden and Pasquotank New Cut Canal Company." To the committee on internal improvements.

By Mr. Rushing: A bill (No. 5) to authorize the county courts to provide for the payment of tales jurors. Laid on the table.

By Mr. White, of Cabarrus: A bill (No. 6) to amend R. C., chapter 46, title Executors and Administrators, s. 9, so as to authorise the appointment of special administrators in certain cases. Laid upon the table.

By Mr. Whitson: A bill (No. 7) to amend the charter of the Western N. C. Railroad Company. Ordered to be printed. To the committee upon internal improvements.

On motion of Mr. Scales,

A message was sent to the Senate proposing to print six hundred copies of the report of the Superintendent of Public Schools; two for each member; one hundred and thirty for the superintendent, and one hundred and thirty copies for the literary board.

On motion of Mr. Hill of Halifax,

*Ordered*, That there be appointed a house committee upon corporations and currency; whereupon,

The Speaker appointed thereto, Messrs. Hill of H., Outlaw, Caldwell, Bridgers and Davidson.

The Senate proposed by message to proceed forthwith, to the election of a Solicitor for the sixth judicial circuit, and the messenger having withdrawn, the House concurred. The Speaker thereupon appointed Messrs. Cansler and White, of Cabarrus, to superintend the same. The House then proceeded to the election, and the vote being taken, *viva voce*, the following members of the House voted for WILLIAM LANDER, viz:

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Blanton,



Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clark, Cotten, Cox of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Glass, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, McIntosh, Montgomery, Moore, Morrison, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rumley, Rushing, Sauls, Scales, Settle, Siler, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Ward, Waugh, White of Sampson, White of Bladen, Whitson and Williamson—78.

The following members voted for VICTOR C. BARRINGER, viz :

Messrs. Benbury, Caldwell, Cox of Perquimons, Crump, Dargan, Eborn, Eller, Elliott, Ferebee, Folk, Foster, Gaither, Jennett, Leach, Leitch, Little, Mabry, Mann, Ogburn, Pickett, Richardson, Scott, Slaughter, Speer, Stiles, Stubbs, Waddill, White of Cabarrus and Wilson—29.

Mr. Cansler, from the joint committee to superintend the election for a Solicitor of the eighth judicial circuit, reported that one hundred and forty-two votes had been given in, of which Mr. Lander had received one hundred and three, and Mr. Barringer thirty-nine; and that Mr. Lander had been duly elected. The House concurred in this report.

The following bills were introduced, read the first time for information, passed, and referred,, or otherwise disposed of, as follows, viz :

By Mr. Cansler: A bill (No. 8) to amend the charter of the Wilmington, Charlotte, and Rutherford Railroad Company. Ordered to be printed. To the committee on internal improvements.

By Mr. Speer: A bill (No. 9) to amend R. C., chapter 31, title Courts, county and superior, s. 25. Laid upon the table.

On motion of Mr. Hill of Halifax,

*Ordered*, That a message be sent to the Senate, proposing



to print, in pamphlet form, the rules of order of both Houses, and of each House.

A message from the Senate informed the House that that body had concurred in the report of the joint committee upon rules, and proposed to print together, and in pamphlet form, the federal and State constitutions and rules of order, and asked the concurrence of the House therein; and the question being, shall the House concur? Mr. Leach moved to amend by inserting in the message, the words "also Washington's Farewell Address." Mr. Badham moved to amend the amendment, by adding "and the third Annual Message of Franklin Pierce." The Chair decided that it was not competent so to amend a message of the Senate, and the question thereon was not put; and thereupon the message was concurred in.

The Senate having also informed the House by message, of their concurrence in the proposed establishment of certain committees, the Speaker appointed the following named members to them respectively, namely:

To the joint committee upon the Deaf Dumb and Blind: Messrs. Thompson, Cox of Jones, Mabry, Waddill and Routh.

To the joint committee upon the Lunatic Asylum: Messrs. Lewis of Wake, Crump, Blow, Tate and Pitchford.

To the joint committee upon Finance: Messrs. Scales, Smallwood, Long, Elliott, Speight, White of C., Bledsoe and McIntosh.

To the joint committee upon the Library: Messrs. Bright, Leitch and Johnston.

The Senate informed the House by message, that they concurred in the proposition to print the report of the superintendent of schools, and the proposed distribution.

On motion of Mr. Crump,

The House excused him from serving upon the committee upon private bills, and thereupon the Speaker appointed Mr. Little to the vacancy.

On motion of Mr. Waddill,

The House then, at 2 o'clock and 12 m., adjourned.

SATURDAY, 22<sup>D</sup> NOVEMBER, 1856.

Another member, viz: Mr. Edward Toms, from the county of Rutherford appeared, and being sworn, took his seat.

The Speaker announced the appointment of the following committees, viz:

A Committee upon Swamp Lands, consisting of Messrs. Benbury, Gilliam, Kelly, Outerbridge and Slaughter.

A Committee upon Cherokee Lands, consisting of Messrs. Love, Stiles, Siler, Dills and Toms.

A Committee upon the Judiciary, consisting of Messrs. Bridgers, Lewis of Wake, Outlaw, Stubbs, Thompson, Dargan, Badham, Leach, Erwin, White of Bladen, and Jenkins.

A Committee upon Military Affairs, consisting of Messrs. Cotten, Bullock, Barnes, Ramsour and Houck.

The following petition and memorial were introduced, read and referred as follows, viz:

By Mr. Blanton: The petition of Lemuel Durham, and others, praying for a law to require certain land companies to locate and survey their lands. To the committee upon propositions and grievances.

By Mr. Davidson: The memorial of Andrew Springs, and others, of Mecklenburg county, concerning the standard measure of grain in Western North-Carolina. To the same committee.

On motion of Mr. Badham,

The following orders and references were made concerning the Executive Message, No. 1, viz:

To the Committee upon Finance: All that part which relates to the public debt and revenue.

To the Committee upon Internal Improvements: All that part upon the subject of internal improvements.

To the Committee upon Agriculture: All that part which relates to the geological survey.

To the Committee upon Constitutional Reform: All that part of the same which relates to that subject.

To the Committee upon Corporations and Currency: All that part which relates to the currency.

To the Committee upon the Judiciary: All that part of the same which relates to the creation of an additional judicial circuit; the propriety of reporting all trials for capitol felonies; the distribution of the Revised Code and the transmission of our laws to the different departments of the federal government.

To the Committee upon Education: All that part which refers to common schools and education.

To the Committee upon the Asylums: All that part which relates to the institution for the deaf, dumb and blind.

To the Committee upon the Judiciary: All that part which relates to the communication of John H. Wheeler, Esq.

On motion of Mr. Pitchford,

*Resolved*, That the committee upon the judiciary enquire and report the expediency of so amending the laws of this State as to make the service of a writ a lien upon the property of the debtor, to continue until the determination of the suit in due course of law.

A joint resolution of the following title was introduced by Mr. Thompson, and referred to the committee on claims, viz: H. R. 64 in favor of Bennet H. Stanmire.

Bills of the following titles were introduced, read the first time for information, passed and referred as follows, viz:

By Mr. Bethea: A bill (No. 10) to aid in the construction of the Western Railroad. To the committee upon internal improvements.

By Mr. Dargan: A bill (No. 11) to charter the Bank of Concord, in the county of Cabarrus. To the committee upon corporations and the currency.

By Mr. Humphrey: A bill (No. 12) to charter a Railroad Company from some point at or near Beaufort Harbour to the coalfields of Chatham. To the committee upon internal improvements.

By Mr. Mann: A bill (No. 13) to repeal R. C., chapter 99, title Revenue, s. 30 and part of s. 24. To the committee upon finance.

By Mr. Jenkins: A bill (No. 14) to repeal R. C., c. 99, title Revenue, s. 30. To the committee on finance.



By Mr. Bynum: A bill (No. 15) to amend R. C., chapter 45, title Executions, ss. 7 and 8. To the committee upon the judiciary.

By Mr. Stubbs: A bill (No. 16) to diminish the costs of suit and for other purposes. Ordered to be printed and referred to the committee upon the judiciary.

By Mr. Benbury: A bill (No. 17) to repeal R. C., chapter 107, title Slaves, etc., s. 46-'7-'8. Ordered to be printed and referred to the committee upon the judiciary.

By Mr. Pitchford: A bill (No. 18) concerning deeds of trust and mortgages. To the committee upon the judiciary.

By Mr. Reeves: A joint resolution (No. 19) in favor of Thomas J. Williams, Sheriff of Surry. Laid upon the table.

By Mr. Jones: A bill (No. 20) to charter the Exchange Bank of New-Berne. Ordered to be printed and referred to the committee upon corporations and the currency.

By Mr. Speer: A bill (No. 21) in relation to the Common Schools in the county of Yadkin. To the committee upon propositions and grievances.

On motion of Mr. Rushing,

The following bills, laid upon the table yesterday, were referred as follows, viz:

H. 3. To the committee upon corporations and currency.

H. 5. To the committee upon the judiciary.

H. 6. To the same committee.

H. 9. To the same committee.

The Speaker submitted to the House the annual report of Oliver H. Perry, State Librarian, which being read, was,

On motion of Mr. Hill, of Stokes,

Sent to the Senate.

The following additional bills were introduced, read the first time, passed, and referred, or disposed of as follows, viz:

By Mr. Tomlinson: A bill, (No. 22) to repeal R. C., chapter 34, title Crimes and Punishments, s. 95. Laid upon the table.

By Mr. Lewis of Wake: A bill, (No. 23) to charter Holly Springs High School, in the county of Wake. To the committee upon education.



From the Senate: An engrossed bill, (No. 24) to amend the charter of Polk county, and the rule being suspended, the same passed the second and third readings, and was ordered to be enrolled.

The Speaker submitted to the House the report of Daniel W. Courts, Public Treasurer, pending the reading of which, Mr. Benbury moved that the reading be dispensed with, and the same sent to the Senate, with a proposition to print ten copies for each member, and the question being thereon, Mr. Lewis of Wake, moved to amend, by inserting one copy for each member, and ten copies for the Public Treasurer. Mr. Settle moved to amend the amendment, by striking out and inserting as follows: "The usual number of copies for each member." And the question being upon the amendment to the amendment, Mr. Hill of Halifax, moved the same be laid upon the table, and the question thereon was put, and decided in the affirmative; whereupon, Mr. Caldwell moved the House adjourn, and the question being put thereon, it was not agreed to.

On motion of Mr. Hill of Stokes,

H. 22, to repeal R. C., chapter 34, title Crimes and Punishments, s. 95, was read the second time. Mr. Hill then moved the rule be suspended, and the question put upon the second reading, but it was not adopted. Mr. Settle moved the House do now adjourn, and the question thereon was put, and

Decided in the negative—Yeas ..... 43

Nays ..... 61

On motion of Mr. Blow,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting, viz:

YEAS.—Messrs. Badham, Barnes, Bethea, Bledsoe, Bright, Bynum, Bullock, Caldwell, Cansler, Cotten, Cox of Jones, Cox of Perquimons, Crump, Ferebee, Folk, Gentry, Glass, Hackney, Harrell, Hill of Stokes, Jones, Kelly, Leach, Mabry, Mann, Masten, Pitchford, Sauls, Scales, Settle, Siler, Stewart, Stiles, Tate, Thompson, Tomlinson, Toms, Ward,

White of Sampson, White of Cabarrus, Whitson, Williamson and Wilson.

NAYS.—Messrs. Benbury, Blow, Clark, Dancy, Dargan, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Foster, Gaither, Hall, Hargrove, Hester, Hill, of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Martin, Mason, Matthews, McIntosh, Meares, Moore, Morrison, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pickett, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Scott, Sharp, Slaughter, Smallwood, Southerland, Speer, Speight, Stubbs, Waddill, Waugh and Withers.

So the House refused to adjourn; and then

On motion of Mr. Stubbs,

Resumed the consideration of the report of the Public Treasurer, the pending question being the amendment offered by Mr. Settle to Mr. Lewis' motion to amend that of Mr. Benbury, and the question was put, and it was not adopted, and the question being upon the amendment of Mr. Lewis it was not adopted; and the question recurred, when Mr. Badham moved to amend as follows: "One hundred copies for the Treasurer, ten copies for the Governor and each department, and five copies for each member," and the question thereon was put, and it was not adopted. Mr. Lewis then moved to amend as follows: insert "one copy for each member, one hundred copies for the Treasurer, and ten copies for each department," and the same being first amended.

On motion of Mr. Meares,

So as to include "one copy each for the clerks of the county and superior courts," the question thereon was put and decided in the affirmative, and the question upon the resolution recurred, and was put; when

On motion of Mr. Caldwell,

And at 12 o'clock and 27m. the House adjourned.

MONDAY, 24th NOVEMBER, 1856.

Another member, viz: Mr. Henry A. Gilliam, from the county of Washington appeared, was sworn, and took a seat in the House.

The Speaker appointed the following committee on enrolled bills, viz: Messrs. Badham, Montgomery, Scott, Leitch and Clarke.

The following petition and memorials were introduced, read and referred, or otherwise disposed of, as follows, viz:

By Mr. Tate: The petition of Thomas Murray and others, and of John P. Bannerman and others of New Hanover county, concerning fences. To the committee on propositions and grievances.

By Mr. Lewis of Wake: The memorial of Johnson Olive and others, concerning a school at Holly Springs, in Wake county. To the committee on education.

By Mr. Gentry: The memorial of Erwin Carson and others, of Ashe county. To the committee on propositions and grievances.

By Mr. Elliott: The petition of George W. Hislop and others, concerning Robert, a slave of Nathan B. Hill. To the same committee.

By Mr. Clark: The petition of Libla Abshur, owner of Jerry, a slave. To the same committee.

By Mr. Pearson: The petition of Jesse Blalock, E. A. Hall and others, concerning Mt. Vernon county. To the same committee.

Joint resolutions of the following titles were introduced, read, passed the first reading, and were referred as follows, viz:

By Mr. Eller: H. R. 72, in favor of Clifton Keeter. To the committee on claims.

By Mr. Martin: H. R. 133, in favor of justices of the peace and sheriffs. Laid upon the table.

On motion of Mr. Humphrey,

*Ordered*, That a message be sent to the Senate, proposing to raise a joint committee on public grounds and buildings,



to consist of three on the part of this House, and three on the part of the Senate.

On motion of Mr. Ward,

*Resolved*, That the committee on the judiciary be instructed to enquire and report upon the expediency of extending the jurisdiction of one magistrate out of court.

On motion of Mr. Clarke,

*Resolved*, That the committee on education enquire and report upon the expediency of amending the R. C., chapter 66, title, Literary Fund and Common Schools, ss. 39, 33.

On motion of Mr. Lewis of Wake,

*Resolved*, That the use of the Hall be granted to the Oak City Guards, on saturday evening, the 29th inst., for a lecture from the Hon. David L. Swain.

Bills of the following titles were then introduced, read for information, passed, and referred as follows, viz:

By Mr. Kelly: A bill (No. 25) to amend R. C. chapter 46, title Executors and Administrators, s. 21. Ordered to be printed, and referred to the committee upon the judiciary.

By Mr. Stubbs: A bill (No. 26) concerning notices of protest. To the same committee.

By Mr. Gentry: A bill (No. 27) to establish the county of Alleghany. To the committee on propositions and grievances.

By Mr. Pearson: A bill (No. 28) to establish the county of Avery. To the same.

By Mr. Clark: A bill (No. 29) to emancipate Jerry, a slave. To the same.

By Mr. Bullock: A bill (No. 30) concerning executors and administrators. To the committee on the judiciary.

By Mr. Lewis of Wake: A bill (No. 31) to amend R. C., chapter 34, title Crimes and Punishments, s. 71. To the same.

On motion of Mr. Hill of Halifax,

The committee on corporations and currency was increased from five to seven members. Mr. Caldwell moved that it be ordered that the committee shall consist of one member from each congressional district, and the question thereon was put and decided in the negative. The Speaker then appointed the following members to that committee, viz: Messrs. Hill



of Halifax, Settle, Caldwell, Meares, Outlaw, Davidson and Bridgers.

The House then proceeded to the consideration of the unfinished business, being the motion of Mr. Benbury, concerning the report of the Public Treasurer, and the same modified as already stated, passed, and the Senate ordered to be informed thereof.

The Senate by message proposed to raise a joint committee to count the vote for Governor in August last, and informed the House that Messrs. Eaton and Cherry were appointed thereto on the part of that body; also that Messrs. Person and Dockery were appointed to the joint committee on military affairs; also, Messrs. Clarke, Cunningham and Wiggins to the joint committee on enrolled bills; and the Senate further proposed a joint committee on public printing to consist of three on the part of the Senate and five on the part of the House; also the Senate proposed there should be printed a list of all joint standing and select committees, one copy each for the usual officers and members of the General Assembly; which messages being read and considered, were severally concurred in.

The Speaker then appointed to the joint committee on public printing, the following members on the part of the House, viz: Messrs. Holmes, Kelly, Mann, Scott and Bledsoe.

The Senate further proposed to the House by message, to print a copy, for each officer and member, of the report of the State Librarian, and that they concurred in the House proposition concerning the report of the Public Treasurer.

Whereupon, it being 12 o'clock and 13m., the House,

On motion of Mr. Settle, adjourned.

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TUESDAY, 25<sup>TH</sup> NOVEMBER, 1856.

The following joint resolution was introduced, read the first time, passed and referred as follows, viz:

H. R. 66, in favor of Sarah Avery. To the committee on claims.

Reports were made from the following committees as follows, viz:

By Mr. Hargrove, from the committee on propositions and grievances:

H. 1, favorably;

H. 21, favorably.

Mr. Badham, from the committee on the judiciary reported the resolution introduced by Mr. Pitchford, concerning the creation of a lien by the service of process only, recommending that no further legislation be had upon the subject.

By Mr. Dargan, from the same committee:

H. 18, unfavorably.

By Mr. Bridgers, from the same:

H. 6, unfavorably.

By Mr. Hill, from the committee on corporations and currency:

H. 3, unfavorably.

Mr. Stubbs introduced the following:

*Resolved*, That the committee on constitutional reform be directed to enquire into the expediency of so amending the constitution of the State as to provide for the election of Judges, Justices of the Peace and the Attorney General by the people, and the question being thereon, it was

Decided in the affirmative—Yeas ..... 97

Nays ..... 15

On motion of Mr. Gilliam,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting, viz:

YEAS.—Messrs. Badham, Benbury, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Caldwell, Cansler, Cotten, Cox of Jones, Crump, Dancy, Dargan, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Gilliam, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Houck, Holmes, Humphrey, Jarvis, Jennett, Jones, Kelly, Leach of Davidson, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mann, Martin, Mason, Masten, Matthews, McIntosh, Meares, Montgomery;

Moore, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Scott, Settle, Siler, Smallwood, Southerland, Speer, Speight, Stiles, Strayhorn, Stubbs, Tate, Thompson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson and Withers.

NAYS.—Messrs. Barnes, Bethea, Clarke, Cox of Perquimons, Ferebee, Glass, Hill of Halifax, Jenkins, Johnston, Leitch, Love, Mabry, Morrison, Slaughter and Stewart.

So the resolution was adopted.

Mr. Badham moved that a message be sent to the Senate proposing at half-past 11 o'clock to proceed to the election of a Solicitor in the first judicial circuit. Mr. Ferebee moved to strike out and insert "Monday next;" and, the question being put thereon, it was not agreed to; and then, the question recurred and was put and adopted.

On motion of Mr. Settle,

A message was also sent to the Senate, proposing that as soon as this election is made, the two houses proceed to elect a solicitor in the seventh judicial circuit; which being sent, the Senate proposed that the hour for the election of a solicitor for the first judicial circuit be postponed to half-past one o'clock; and informed the House of their concurrence in the proposition to proceed immediately after to the election of a Solicitor in the seventh judicial circuit, and that they had on their part appointed Messrs. Mills and Ramsay to superintend the last election, and Messrs. Dillard and Pool the first election; which message being concurred in, the Speaker appointed Messrs. Scott and Leach to superintend on behalf of the House, the election of a Solicitor for the seventh judicial circuit, and Messrs. Badham and Slaughter the election of a Solicitor for the first judicial circuit.

Bills of the following titles were introduced, read the first time, passed and referred or otherwise disposed of as follows, viz:

By Mr. Leach: A bill (No. 32) to charter the North West-



ern Railroad Company. Ordered to be printed and referred to the committee upon internal improvements.

By Mr. Dancy : A bill (No. 33) to give additional authority to the commissioners of Tau-borough, in the county of Edgecombe. To the committee on propositions and grievances.

By Mr. Holmes : A bill (No. 34) to cede Mt. Tirzah to the United States for Hospital purposes. Laid on the table.

By Mr. Love : A bill (No. 35) to amend the charter of the Jonathan's Creek and Tennessee Mountain Turnpike Company. To the committee upon internal improvements.

By Mr. Rankin : A bill (No. 36) to establish the standard bushel of wheat, rye, etc. To the committee on propositions and grievances.

By Mr. Waddill : A bill (No. 37) to amend R. C., chapter 64, title Widows, s. 3. To the committee on the judiciary.

By Mr. Sharp : A bill (No. 38) to establish the county of Graham. To the committee on propositions and grievances.

By Mr. Siler : A bill (No. 39) to authorize the appointment of an Assistant Agent of cherokee lands. To the committee on cherokee lands.

By Mr. Speer : A bill (No. 40) to repeal R. C., chapter 70, title Militia, s. 1. To the committee on military affairs.

Pulaski Cowper, private secretary, was announced with a message from the Governor, which was read ; recommends the general assembly to cede to the United States the land on the cape fear river known as Mt. Tirzah for the purpose of erecting thereon a hospital for sick and disabled seamen—Thereupon,

On motion of Mr. Settle, the rule being suspended,

H. 34, to cede Mt. Tirzah to the United States, was read the second and third times, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

The Senate informed the House by message of the appointment of Messrs. Clarke, Taylor and Jones on their part, to the joint committee on public printing.



Mr. Ward introduced the following joint H. R. 91, concerning federal relations. Laid on the table.

The bills respectively numbered on the calendar, and entitled as follows, were then read the second time, and passed the second reading, or were otherwise ordered and disposed of, as follows, viz :

H. 1, to repeal L.L. 1854-'55, concerning the town of Wilmington, s. 11.

H. 21, concerning common schools in Yadkin county.

H. 18, concerning deeds of trust and mortgages being read the second time, and the question put, Mr. Pitchford moved to amend the same by inserting additional sections 4, 5, 6, 7, 8; and the question thereon was put and decided in the negative, and the question recurring,

On motion of Mr. Ogburn,

The same was postponed and made a special order for Tuesday next.

H. 6, to amend the R. C., c. 46, title Executors and Administrators, being read the second time was,

On motion of Mr. White of Cabarrus,

Laid on the table; and thereupon,

The hour for the election of a Solicitor in the first judicial circuit having arrived, the House proceeded, *viva voce*, to vote, and the result was as follows. The following named members of the House voted for ELIAS C. HINES, viz :

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Cansler, Clark, Cox of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Glass, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rumley, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Bladen, Whitson, Williamson and Withers—76.

The following named voted for WILLIAM H. N. SMITH, viz: Messrs. Benbury, Caldwell, Cox of Perquimons, Dargan, Eborn, Eller, Elliott, Ferebee, Folk, Foster, Gaither, Gilliam, Houck, Jennett, Leach, Little, Mabry, Mann, March, McIntosh, Meares, Ogburn, Pickett, Richardson, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Stubbs, Waddill, White of Cabarrus and Wilson—35.

Mr. Badham, from the joint committee to superintend the election of Solicitor for the first judicial circuit, reported that one hundred and fifty-nine votes had been given in the same, of which Mr. Hines had received one hundred and nine, and that he was duly elected. The House concurred in this report, and

Thereupon, pursuant to the joint order, proceeded immediately to vote, *viva voce*, for the Solicitor in the seventh judicial circuit, the result of which was as follows: The following members of the House voted for MARCUS ERWIN, viz:

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Cansler, Clark, Cox of Jones, Dancy, Davidson, Dills, Gentry, Glass, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Settle, Smallwood, Sutherland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson and Withers—77.

The following named members voted for GEORGE N. FOLK, viz:

Messrs. Benbury, Caldwell, Cox of P., Dargan, Eborn, Elliott, Ferebee, Foster, Gaither, Gilliam, Houck, Jennett, Leach, Leitch, Little, Mabry, Mann, McIntosh, Meares, Ogburn, Pickett, Scott, Sharp, Slaughter, Speer, Stubbs and Wilson—27.

And the following voted for A. B. F. GATHER, viz:  
Messrs. Eller, Folk, Martin, Stiles and Waddill—5.

Mr. Settle, from the joint committee to superintend the election of a Solicitor for the seventh judicial circuit, reported that one hundred and fifty-seven votes had been given, of which seventy-eight was necessary to a choice, and that Mr. Erwin had received one hundred and thirteen, and was duly elected. The House concurred in this report.

Mr. Badham, from the committee to superintend the election of a Solicitor for the first judicial circuit, reported that one hundred and fifty-nine votes had been given in said election, of which Mr. Hines had received one hundred and nine, and was duly elected. The House concurred in this report; and then,

On motion of Mr. Mann,

It being 2 o'clock and 10m., adjourned.

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WEDNESDAY, 26TH NOVEMBER, 1856.

The following joint resolution was introduced, read, passed the first reading, and referred to the committee on claims, viz:  
H. R. 65. By Mr. Bethea: in favor of Martha Spears.

On motion of Mr. Settle,

A message was sent to the Senate, proposing at half past 11 o'clock to proceed to the election of an Attorney General.

The following reports of committees were handed in, as follows, viz:

By Mr. Humphrey, from the committee on claims;

H. R. 41, favorable.

By Mr. Hargrove, from the committee on propositions and grievances,

The memorial of Lemuel Durham and others, of Cleveland and Rutherford counties, recommending no action; also,

The memorial of Geoge W. Hislop and others, concerning Robert, slave of Nathan B. Hill, recommending the prayer be not granted; also,



The petition of Libla Abshur, recommending that it be not granted; also,

The petition of Wallace Gray and others, praying the repeal of R. C., c. 120, title Wrecks, so far as concerned Hyde county, recommending that it be not granted.

The Speaker then, in the presence of the House, signed the following engrossed Senate bill, the same being reported to be truly enrolled, viz :

S. 24. To amend the charter of Polk county.

The following joint resolutions were then introduced by Mr. Erwin, read and passed the first reading, and were referred to the committee on claims as follows, viz :

A resolution (No. 42) in favor of Bedford Sherrill ;

A resolution (No. 43) in favor of William R. Baird.

On motion of Mr. Caldwell,

*Resolved*, That the judiciary committee enquire and report what further legislation is necessary, if any, to expedite criminal trials.

On motion of Mr. Ogburn,

*Resolved*, That the same committee enquire and report the propriety and expediency of exempting the homestead from executions for debt.

On motion of Mr. Humphrey,

*Resolved*, That the committee on propositions and grievances enquire and report the expediency of allowing the county courts to lay a road tax.

Another joint resolution, and bills of the titles following were then introduced, read the first time, passed, and referred or otherwise disposed of as follows, viz :

By Mr. Martin: A joint resolution (No. 44) in favor of John Foster. To claims.

By Mr. Toms: A bill, (No. 45) to authorize Richard Whitesides to construct a gate across a public road in Polk county. To private bills.

By Mr. Cotten: A bill (No. 46) to divide Chatham county. To propositions and grievances.

By Mr. Stubbs: A bill (No. 47) to amend the R. C., chapter 46, title Executors and Administrators, s. 9. To judiciary.



By Mr. Richardson: A bill (No. 48) to charter the Moore and Montgomery Plankroad Company. To internal improvements.

A message was received from the Senate agreeing to the proposition concerning the election of an Attorney General, and informing the House of the appointment of Messrs. Cowper and Person to superintend the same on their part, and thereupon, the Speaker appointed Messrs. Pitchford and Little to superintend the election in this House.

And the House proceeded with the introduction of bills, as follows:

By Mr. Rushing: A bill (No. 49) to repeal R. C., c. 36, title Currency, s. 6. To corporations and currency.

By Mr. Mathews: A bill (No. 50) to give courts of law jurisdiction over sales of real and personal estate. To judiciary.

By Mr. Ogburn: A bill (No. 51) concerning executors and administrators. To judiciary.

By Mr. Lewis of Wake: A bill (No. 52) for the protection of the laborer and the mechanic. To judiciary.

By Mr. Routh: A bill (No. 53) to preserve the reputation of the State. On motion of Mr. Cotten, laid upon the table.

On motion of Mr. Badham,

*Resolved*, That the committee on the judiciary consist of twelve members; whereupon, the Speaker appointed Mr. Gilliam a member of that committee.

And then the House proceeded to consider

H. 22, to repeal R. C., c. 34, Crimes and Punishments, s. 95, concerning fire hunting; the question pending being the passage of the bill the second reading, and this question was put, and

Decided in the affirmative—Yeas .....	88
Nays .....	22

So the bill passed the second reading.

On motion of Mr. Tomlinson,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting, viz:

YEAS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Bright, Bynum, Bullock, Caldwell, Cansler, Clark, Cotten, Cox of Jones, Cox of Perquimons, Dancy, Davidson, Dills, Eller, Gaither, Gentry, Gilliam, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Leach, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, Martin, Masten, McIntosh, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scales, Scott, Settle, Sharp, Siler, Slaughter, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Tate, Thompson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, Whitson, Williamson and Wilson.

The following members of the House voted in the negative, viz :

NAYS.—Messrs. Bridgers, Crump, Dargan, Eborn, Elliott, Ferebee, Folk, Foster, Glass, Houck, Jones, Kelly, Leitch, Mason, Matthews, Meares, Moore, Morrison, Smallwood, Stubbs, White of Bladen and Withers.

On motion of Mr. Erwin,

A message was sent to the Senate proposing to proceed forthwith to the election of two Engrossing Clerks. In reply, the Senate informed the House that they concurred therein, and had appointed Messrs. Burges and Coleman to superintend said election ; whereupon, the Speaker appointed Messrs. Thompson and Caldwell to superintend on behalf of the House, and the House proceeded to the election with the following result. The following members of the House voted for CALEB N. HILL and WILEY J. PALMER, viz :

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clarke, Cotten, Cox of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Glass, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten,

Matthews, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rumley, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speer, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Bladen, Whitson, Williamson and Withers—98.

The following members voted for WILLIAM N. STINER and L. F. GRAY, viz :

Messrs. Benbury, Caldwell, Cox of Perquimons, Crump, Dargan, Eborn, Eller, Ferebee, Gaither, Gilliam, Jennett, Little, Mabry, Mann, Martin, Meares, Scott, Sharp, Siler, Slaughter, Stubbs, Waddill and Wilson—23.

The hour, half-past 11 o'clock, having arrived, pursuant to the joint order, the House proceeded *viva voce* to the election of an Attorney General, the result of which was as follows :

The following named members voted for WILLIAM A. JENKINS, viz :

Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bynum, Bullock, Cansler, Clark, Cotten, Cox of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Glass, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mason, Masten, Matthews, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rumley, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Bladen, Whitson, Williamson and Withers,—77,

The following named members voted for BARTHOLOMEW F. MOORE, viz :

Messrs. Benbury, Caldwell, Cox of Perquimons, Crump, Dargan, Eborn, Eller, Elliott, Ferebee, Folk, Foster, Gaither, Gilliam, Houck, Jennett, Leach, Leitch, Mann, Martin, McIntosh, Meares, Ogburn, Pickett, Richardson, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Stubbs, Waddill, White of Cabarrus and Wilson,—35.



Mr. Jenkins voted for EDWARD CONIGLAND.—1.

Mr. Pitchford, from the joint committee to superintend the election of an Attorney General, reported that one hundred and sixty votes had been given in the said election, of which eighty one were necessary to a choice, and that Mr. Jenkins had received one hundred and eight, which was a majority, and that he had been duly elected. The House concurred in this report.

Bills of the following titles then being read, passed the third reading, and were ordered to be engrossed and sent to the Senate, viz:

H. 1, concerning the town of Wilmington.

H. 21, concerning the common schools in the county of Yadkin.

On motion of Mr. Humphrey,

*Ordered*, That there be established a committee on Public Grounds and Buildings, whereupon the Speaker appointed thereto Messrs. Humphrey, Rand, Sharp, Hill of Halifax and Ogburn.

A joint resolution of the following title then being read, passed the second reading, and was otherwise ordered and disposed of as follows, viz:

H. R. 41, in favor of Thomas Diggs; and,

On motion of Mr. Dargan,

The rule being suspended the resolution was read and passed the third reading, and then was ordered to be engrossed and sent to the Senate.

H. 29, to emancipate Jerry, a slave, being read the second time was,

On motion of Mr. Clarke,

Laid upon the table.

Mr. Caldwell, from the committee appointed to superintend the election of two engrossing clerks, reported that Caleb Hill had received one hundred and twenty-votes, Wiley J. Palmer one hundred and fifteen votes, William N. Stiner thirty-eight votes, and L. F. Gray twenty-five votes, Hall six votes, Murray four votes, Rayford one vote, and that Messrs. Palmer and Hill having each a majority of all the votes cast were duly



elected. The House concurred in and adopted this report, and then,

On motion of Mr. Dancy,  
And at 2 o'clock, adjourned.

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THURSDAY, 27TH NOVEMBER, 1856.

Reports from committees were handed in concerning the following bills, etc., as follows, viz:

By Mr. Lyon of Orange, from the committee on propositions and grievances:

H. 33, favorably;

H. 28, favorably;

The memorial of John P. Bannerman and others, and Thos. Murray and others; recommending no action;

H. 27, favorably.

By Mr. Dargan, from the committee on the judiciary:

H. 17, unfavorably.

By Mr. Lewis, from the same committee:

H. 5, unfavorably;

H. 31, favorably.

By Mr. Gilliam, from the same committee:

H. 9, unfavorably;

H. 37, unfavorably.

By Mr. Leach, from the same committee:

H. 30, unfavorably.

By Mr. Erwin, from the committee upon internal improvements:

H. 35, favorably.

Bills of the following titles were introduced, read the first time, passed the first reading, and were referred, etc., as follows, viz:

By Mr. Scott: a bill (No. 54) to provide for taking the depositions of females. To the judiciary.

By Mr. Elliott: a bill (No. 55) to authorise the issue of small notes. Ordered to be printed. To the committee on corporations and currency.

By Mr. Ogburn: a bill (No. 56) concerning the common schools of North Carolina. Ordered to be printed. To education.

By Mr. Stubbs: a bill (No. 57) to amend the constitution so as to give the election of judges, etc., to the people. Ordered to be printed, and referred to the committee on constitutional reform.

By Mr. Kelly: a bill (No. 58) concerning the inspectors of naval stores. To the judiciary.

By Mr. Folk: a bill (No. 59) concerning the lands of the State in the county of Watauga. To internal improvements.

By Mr. Cox of Perquimons: a bill (No. 60) to provide for the more effectual enlistment of lands for taxation. Ordered to be printed. To the committee on the judiciary.

By Mr. Ward: a bill (No. 61) to authorise the county court of Duplin to sell the town commons of the town of Sarecta. To private bills.

By Mr. Dills: a bill (No. 62) to charter the Rock Bridge and Toxaway Turnpike Company, in the county of Jackson. To internal improvements.

By Mr. Mann: a bill (No. 63) to increase the pay of witnesses and tales jurors in the county of Pasquotank.

A message from the Governor of the State, by the hands of Pulaski Cowper, Esq., private secretary, with the resignation of Joseph B. Batchelor, Esq., attorney general, was announced, read, and

On motion of Mr. Caldwell, sent to the Senate.

Mr. Caldwell also moved, that

H. 2, be referred to the committee on corporations and the currency, and it was so ordered.

A message from the Governor, by Pulaski Cowper, Esq., Private Secretary, in reply to the resolution of the 21st November concerning the Geological Survey, being read, was

On motion of Mr. Montgomery,

Laid upon the table.

The bills respectively numbered and entitled as follows, were then read the second time, and ordered as follows, viz:

H. 3, to repeal R. C., chapter 36, title currency, ss. 5, 6; the question being on the passage of the bill the second read-

ing, Mr. Leach moved the same lie upon the table, and it was put and not agreed to. Mr. Hill of Stokes, moved to strike out all after the enacting clause and insert a substitute offered by him. Mr. Ward offered to amend this amendment, when

On motion of Mr. Erwin,

The bill was recommitted to the committee on corporations and the currency.

H. 33, to give additional authority to the commissioners of Tau-Borough, passed the second reading.

H. 17, to repeal R. C., chapter 107, title Slaves, etc., ss. 46, 47, 48, did not pass the second reading, but was rejected.

H. 27, to establish the county of Alleghany, passed the second reading.

H. 5, to provide for the payment of tales jurors, did not pass the second reading, but was rejected.

On motion of Mr. Bullock,

Mr. Hargrove had leave of absence three days, to be allowed by the clerk in ascertaining his pay.

The Speaker submitted various bank statements, which without being read, were

On motion of Mr. Waugh,

Sent to the Senate with a proposition to print, which proposition the Senate concurred in.

The bills respectively entitled as follows, were then read the second time, and disposed of as follows, viz:

H. 37, to amend R. C., chapter 64, title Widows, s. 3, was

On motion of Mr. Waddill,

Laid upon the table.

H. 9, to amend R. C., chapter 31, title Courts, County and Superior, s. 25, concerning the qualification of jurors, did not pass the second reading.

Decided in the negative—Yeas ..... 27

Nays ..... 78

On motion of Mr. Patterson,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting:

YEAS.—Messrs. Barnes, Benbury, Bethea, Blanton, Bynum,

Cotten, Eborn, Glass, Hackney, Hester, Hill of Stokes, Leach, Lyon of Orange, Lyon of Granville, Mann, Martin, Montgomery, Patterson, Pearson, Richardson, Siler, Speer, Stiles, Strayhorn, Stubbs, Tomlinson and Williamson.

The following members voted in the negative, viz :

NAYS.—Messrs. Badham, Blow, Bright, Bullock, Caldwell, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Crump, Dargan, Davidson, Dills, Eller, Elliott, Erwin, Ferebee, Folk, Foster, Gaither, Gentry, Gilliam, Hall, Harrell, Houck, Holmes, Humphrey, Jarvis, Jennett, Johnston, Jones, Kelly, Leitch, Lewis of Wake, Lewis of Nash, Little, Long, Love, Mabry, Mason, Matthews, McIntosh, Meares, Moore, Morrison, Mosely, Ogburn, Outerbridge, Parker, Pickett, Pitchford, Ramsour, Rand, Reeves, Routh, Rumley, Rushing, Sauls, Scales, Scott, Settle, Sharp, Slaughter, Smallwood, Southerland, Speight, Stewart, Tate, Thompson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Bladen, Whitson, Wilson and Withers—78.

And then the House,

On motion of Mr. Caldwell,

And at 1 o'clock and 45m., adjourned.

#### FRIDAY, 28TH NOVEMBER, 1856.

Reports from committees were handed in with the bills, entitled as follows respectively, viz :

By Mr. Humphrey, from the committee on claims :

H. R. 44, favorably ;

H. R. 66, favorably ;

H. R. 65, favorably ;

H. R. 72, favorably.

By Mr. Dargan, from the committee on the judiciary :

H. 50, unfavorably ;

H. 54, unfavorably.

By Mr. Thompson, from the same committee :

H. 15, favorably, with a substitute ;

H. 53, unfavorably.



By Mr. Bridgers, from the same committee :

II. 26, favorably.

By Mr. Lewis of Wake, from the same committee :

II. 25, unfavorably.

Mr. Hill of Stokes, introduced the joint resolution, of the title following, viz :

H. R. 69, concernin engrossing clerks and room No. 3 ; which being read, passed the first reading, and the rule being suspended, it was read the second and third times, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Morrison,

*Resolved*, That the committee on the judiciary enquire and report upon the constitutionality of extending the jurisdiction of one magistrate out of court over free persons of color.

Bills of the following numbers and titles were introduced, read the first time, passed, and referred as follows, viz :

By Mr. Houck : A bill (No. 67) concerning the militia. To the committee on military affairs.

By Mr. Ogburn : A bill (No. 68) to establish normal schools. Ordered to be printed, and referred to the committee on education.

By Mr. Houck : A bill (No. 70) to amend the R. C., chapter 99, title Revenue, s. 78. To finance.

By Mr. Sharpe : A bill (No. 71) for the safe keeping and registration of sheriffs' bonds.

By Mr. Erwin : A bill (No. 74) to establish a military and polytechnic school in Buncombe county. To education.

And the following from the Senate :

S. 73. To amend the Art. 1, s. 3, cl. 2 of the amended Constitution of this State, which last being read, and the question put : Shall this bill pass the first reading? three-fifths of the whole number of the House being necessary. Mr. Cotten moved to postpone the question until Monday next, at 12 o'clock, and withdrew. Mr. Bledsoe moved it be postponed until Friday next, and the question was put thereon, and it was not adopted. The question then recurred, and was put and

Decided in the affirmative—Yeas .....	100
Nays .....	8

On motion of Mr. Hill of Halifax,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting, viz :

YEAS.—Mr. Speaker, Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Cansler, Clark, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Dargan, Davidson, Dills, Eller, Erwin, Ferebee, Folk, Gaither, Gentry, Gilliam, Glass, Hackney, Hall, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jennett, Jones, Kelly, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, Martin, Mason, Matthews, McIntosh, Meares, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Settle, Siler, Smallwood, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson and Withers.

The following members voted in the negative :

NAYS.—Messrs. Caldwell, Eborn, Elliott, Foster, Ogburn, Scott, Sharp and Slaughter.

Mr. Settle moved the bill be made the special order for Monday next, at 12 o'clock. Mr. Blow moved to amend by inserting Friday next. Mr. Jones moved to amend the amendment by inserting Thursday next, but it was not adopted; and the amendment was adopted, and then the motion as amended.

The bills respectively entitled as follows, then passed the second reading, or were otherwise disposed of as follows, viz :

II. 4, to revise and amend the charter of the Camden and Pasquotank New Cut Canal Company, the same having been first amended;

On motion of Mr. Mann,

So as to strike out the figure and letter five (5) and insert, so that the proviso shall read as follows: "the work to be

commenced by the 1st July, 1858, and finished in three years thereafter."

H. 30, concerning executors and administrators, did not pass the second reading, but was decided in the negative.

H. 31, to amend R. C., chapter 34, title Crimes and Punishments, s. 71, passed the second reading; as also

H. 35, to consolidate certain acts relative to the Jonathan's Creek Turnpike Company.

The bills respectively entitled as follows then being read the third time, passed the third reading, and were ordered to be engrossed and sent to the Senate, viz :

H. 22, to amend R. C., chapter 34, Crimes and Punishments, s. 95, the same being first, however, amended,

On motion of Mr. Clark,

By striking out all after the enacting clause and inserting a substitute as follows :

"That the true intent and meaning of the R. C., chapter 34, section 95, was, and is hereby declared to be to prevent fire hunting for deer with a gun or guns in the night time, and nothing more."

H. 33, to give additional powers to the Commissioners of the town of Tau-Borough.

H. 27, to establish the county of Alleghany being read the third time and the question put, Mr. Ferebee moved it be indefinitely postponed.

Decided in the negative—Yeas . . . . . 8

Nays . . . . . 92

On motion of Mr. Ferebee,

The yeas and nays were ordered. The following are the names and votes of all the members of the House present and voting, viz :

YEAS.—Messrs. Bridgers, Cox of Perquimons, Eborn, Ferebee, Gilliam, Leitch, Lewis of Nash and Mann.

The following named members voted in the negative :

NAYS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Bright, Caldwell, Causler, Clark, Cotten, Crump, Dancy, Dargan, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Glass, Hackney, Hall, Harrell, Hes-



ter, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jennett, Jones, Kelly, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Martin, Mason, Matthews, McIntosh, Meares, Montgomery, Moore, Morrison, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scales, Scott, Settle, Sharp, Siler, Slaughter, Smallwood, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waddill, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson and Withers.

So the House refused indefinitely to postpone, and then the bill passed the third reading, and was ordered to be engrossed, and sent to the Senate; whereupon, the House,

On motion of Mr. Dills,

And at 1 o'clock and 53m., adjourned.

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SATURDAY, 29TH NOVEMBER, 1856.

On motion of Mr. Leitch,

*Resolved*, That the committee on internal improvements enquire into the expediency of introducing into this State the plan of railway building patented by James S. French, and report to the House, by bill or otherwise.

Bills of the following titles were then introduced, read, passed the first reading, and were respectively referred as follows, viz:

By Mr. Blanton: a bill (No. 75) to repeal the act of 1852, concerning the office of superintendent of common schools. To education.

By Mr. Siler: a bill (No. 76) to charter the Macon county Turnpike Company.

By Mr. Crump: a bill (No. 77) to charter the town of Troy, in the county of Montgomery.

By Mr. Gilliam: a bill (No. 78) concerning mortgages and deeds of trust.

The House considered the bill

H. 15, to amend R. C., chapter 45, title Executors, s. 7 and 8, with the following result, viz: The question being put upon the substitute proposed by the committee on the judiciary, as follows: Strike out all after the enacting clause, and insert "That the R. C., chapter 45, s. 8 is so amended as that the word seizure in line 6 of said section be stricken out, and the word "sale" inserted. The clause will then read, "provided that the same shall have been set apart before sale." Pending which, Mr. Ward moved to amend by inserting the words "the library being" immediately before the words "the property of the defendant" in said section; and Mr. Mann moved to add thereto "provided such library does not exceed in value fifty dollars;" but the same was not adopted, and the question being upon the amendment offered by Mr. Ward, it was,

On motion of Mr. Gilliam,

Laid upon the table; and,

A message from the Senate read, announced that the Senate had just heard of the death of Mr. Leonidas A. Jeffreys, a member of the House of Commons from the county of Franklin, and had passed the resolutions following, viz:

*Resolved* 1. That the Senate have received with profound regret the distressing intelligence of the death of Leonidas A. Jeffreys, a member of the House of Commons from the county of Franklin; and

2. The Senate tender the expression of their deep sympathy in the mournful bereavement to the family and relations of the deceased.

3. The Senate will wear the usual badge of mourning thirty days.

4. A copy of these proceedings be transmitted to the House of Commons requesting their concurrence, and to the family of the deceased; and that by way of tendering a further tribute of respect to the memory of the deceased, the Senate do now adjourn until Monday next, at 11 o'clock.

And the question being upon the concurrence of the House, they were unanimously concurred in; and then the House,

On motion of Mr. Lewis of Wake,  
And at 12 o'clock adjourned.

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MONDAY, 1ST DECEMBER, 1856.

Two other members, viz: Mr. John Yancy from the county of Madison, and Mr. David Outlaw from the county of Bertie appeared, were sworn, and took seats in the House.

The Speaker appointed the following members to the committee on enrolled bills, viz: Messrs. White of Bladen, Cansler, Martin, Cox of Perquimons and Jarvis.

On motion of Mr. Crump,

H. 77, was ordered to be filed for the second reading.

On motion of Mr. Gentry,

The petition of Jesse Blalock and others was sent to the Senate.

A bill of the following title was reported as follows, viz:

H. 23. By Mr. Scales, from the committee on education; favorably.

On motion of Mr. Humphrey,

*Resolved*, That the attention of the committee on public grounds and buildings be called to the condition of Capitol Square and that they enquire what legislation is necessary to improve its appearance, and report by bill or otherwise.

On motion of Mr. Badham,

*Ordered*, That this House will hereafter adjourn at half past one o'clock, P. M., and until otherwise ordered, it be the regular hour for the close of the morning session.

Bills and joint resolutions of the following numbers and titles were introduced, read, passed the first reading, and referred as follows, viz:

By Mr. Gilliam: A resolution (No. 79) in favor of Elizabeth Kissam. To the committee on claims. Also by the same: A resolution (No. 80) in favor of Joseph Ramsay. To the same.

By Mr. Foster: A bill (No. 81) to amend the constitution



of the State in relation to taxes upon land. Ordered to be printed, and referred to constitutional reform.

By Mr. Reeves: a bill (No. 82) to amend the R. C., chapter 66, title Literary Fund and Common Schools, s. 32. To education.

By Mr. Gilliam: a bill (No. 83) to extend further protection to the estates of married women. To judiciary.

By Mr. Jones: a bill (No. 84) concerning registers. To the same committee.

By Mr. Benbury: a bill (No. 85) to regulate tales jurors in the county of Tyrell. To propositions and grievances.

By Mr. Dills: a bill (No. 86) to repeal R. C., chapter 31, title Agriculture and Geology, ss. 13—16. Table.

By Mr. Gilliam: a bill (No. 87) to amend R. C., chapter 31, title Courts, County and Superior, s. 48, concerning ejectment. To judiciary.

By Mr. Love: a bill (No. 88) to increase the fees of the Secretary of State. To propositions and grievances.

By Mr. Davidson: a bill (No. 89) to provide payment for tales jurors in the county of Mecklenburg. Table.

From the Senate: an engrossed resolution (No. 90) in favor of Quentin Busbee. Table.

And the House proceeded to the consideration of bills on the calendar for the second reading, when the bills respectively entitled as follows, were read the second time, passed or otherwise disposed of as follows, viz:

H. 19, for the relief of Thomas J. Williams, sheriff of Surry, being read, and the question put, it was amended,

On motion of Mr. Caldwell,

So as to include "Walter A. Winburne, sheriff of Guilford," and then it passed the second reading.

H. 23, to charter Holly Springs High School, in the county of Wake, passed the second reading.

H. 25, to amend R. C., chapter 46, title Executors and Administrators, being read, was

On motion of Mr. Gilliam,

Laid upon the table.

H. 26, concerning printest notices, passed the second reading.

H. R. 44, in favor of John Foster, passed the second reading.

H. 50, to give courts of law jurisdiction over sales of wards' estate, was

On motion of Mr. Matthews,

Laid upon the table.

H. 53, the bill of Mr. Ogburn concerning executors and administrators, was recommitted to judiciary on motion of Mr. Ogburn.

H. 54, to provide for taking the depositions of females in certain cases, did not pass the second reading, but was rejected.

H. R. 65, in favor of Martha Spears, passed the second reading; so also,

H. R. 66, in favor of Sarah Avery; so also,

H. R. 72, in favor of Clifton Keeter; so also,

H. 77, to charter the town of Troy, in the county of Montgomery.

The bills of the titles following, respectively passed the third reading, and were thereupon ordered to be engrossed, and sent to the Senate for concurrence, or they were otherwise disposed of as follows, viz:

H. 4, to revive the charter of the Camden and Pasquotank Canal Company.

H. 31, to amend the R. C., chapter 34, title Crimes and Punishments, s. 71.

H. 35, to consolidate the acts relative to the charter of the Jonathan's Creek Turnpike Company.

H. 23, to charter Holly Springs High School in the county of Wake.

H. 26, concerning protest notices, the same being first amended by the adoption of the report thereon.

H. R. 44, in favor of John Foster.

H. 50, to give courts of law jurisdiction over certain sales, did not pass the third reading but was,

On motion of Mr. Matthews,  
indefinitely postponed.

H. R. 72, in favor of Clifton Keeter.

H. 77, to charter the town of Troy.

S. R. 90, in favor of Quentin Busbee, passed the second and third readings, and was ordered to be enrolled.

A bill of the following title was introduced from the Senate, passed the first reading and was filed for the second reading, viz:

S. 92, to provide for the better securing costs in certain actions; and by a message from that body the House were informed of the appointment of the following Senators to the committee on enrolled bills, viz: Messrs. Myers, Holt and Dillard.

A message was received from the Senate asking the concurrence of the House in the appointment of Farquahard Smith, Daniel G. Worth, John Harrington, E. D. Pate, William Sexton and C. C. Barbee as justices of the peace in and for the county of Harnett, and the question was put, shall the House concur, and it was decided in the affirmative.

A message was received from the Governor through Pulaski Cowper, Esq., private secretary, transmitting the returns of the election held on the 4th November for electors of President and Vice-President of the United States, and the same was,

On motion of Mr. Jenkins,

Sent to the Senate. Another message from the Governor transmitted the report of David L. Swain, Historical Agent, and was,

On motion of Mr. Bridgers,

Sent to the Senate with a proposition to print, and to raise a joint committee of three on the part of the House, and two on the part of the Senate, to consider and report thereon.

And, resuming the calendar:

H. 19, for the relief of Thomas J. Williams, Sheriff of Surry, being read the third time, and the question put, "Shall this bill as amended pass the third reading?"

On motion of Mr. Clark,

The bill was amended so as to include "Robert G. Tuttle,



Sheriff of Caldwell county," and the question recurred, when the hour for the adjournment arriving,

The House adjourned.

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TUESDAY, 2ND DECEMBER, 1856.

The Speaker submitted the report of Richard A. Hamilton, President of the Raleigh and Gaston Railroad Company.

On motion of Mr. Jenkins,

Sent to the Senate with a proposition to print.

On motion of Mr. Davidson,

H. 89, was filed for the second reading.

The following petitions and memorials were introduced, read and respectively referred as follows, viz :

By Mr. White, of Cabarrus: The petition of Rufus Barringer and others for a bank at Concord. Referred to the committee on corporations and the currency.

By Mr. Siler: The petition of W. L. Tate and others respecting a turnpike company in the counties of Cherokee and Macon. To internal improvement.

By Mr. Jarvis: The petition of John C. Hatfield and others concerning fire hunting. To propositions and grievances.

The following bills, etc., were reported upon, as follows, viz :

By Mr. Erwin, from the committee upon internal improvements :

H. 76, favorably ;

H. 62, favorably ;

H. 59, favorably.

By Mr. Hargrove, from the committee on propositions and grievances, the following, viz :

H. R. 43, favorably ;

H. R. 42, favorably ;

H. 28, favorably :

H. 36, favorably ; and upon

H. 46, unfavorably ; and recommending that no legislation

be had upon public roads and repairs, under the resolution of Mr. Humphrey.

Mr. Scott, from the committee of arrangements for counting the votes for Governor, reported a programme; which was read and adopted.

Bills and joint resolutions of the titles following were introduced, read, passed the first reading, and were respectively referred or otherwise disposed of as follows, viz:

By Mr. Blow: a bill (No. 93) in favor of James A. Brown. To the committee on propositions and grievances.

By Mr. Bullock: a bill (No. 94) to extend the powers of the Roanoke Valley Railroad Company. To internal improvements.

By Mr. Gilliam: a bill (No. 95) concerning fish. To propositions and grievances.

By Mr. McIntosh: a bill (No. 96) to charter the York Collegiate Institute. To education.

By Mr. Stiles: a bill (No. 97) to establish the county of Swain. To propositions and grievances.

By Mr. Lewis of Nash: a bill (No. 98) to amend the R. C., chapter 99, title Revenue, s. 60. To judiciary.

By Mr. Mosely: a bill (No. 99) to emancipate certain slaves.

By Mr. Erwin: a bill (No. 101) to amend the charter of the Greenville and French Broad Railroad Company.

By Mr. Meares: a bill (No. 102) to repeal the R. C., chapter 85, title Pilots, s. 17. To judiciary.

By Mr. Gilliam: a bill (No. 103) to repeal R. C., chapter 120, title Wrecks, s. 6. To the same.

By Mr. Montgomery: a bill (No. 104) concerning Chatham and Alamance counties. To private bills.

By Mr. Gentry: a resolution (No. 105) in favor of James Blevins of Ashe county.

By Mr. Mann: a resolution (No. 106) in favor of Samuel Williams & Son of Elizabeth City.

By Mr. Bledsoe: a resolution (No. 107) in favor of John Buffalo. To propositions and grievances.

By Mr. Bethea: a resolution (No. 108) in favor of cadets at military schools. Table.

The bill entitled as follows was then read the second time, viz:

H. 18, concerning deeds of trust and mortgages; and the question being, shall this bill pass the second reading, Mr. Ogburn moved to amend by striking out all after the enacting clause, and inserting, a substitute offered by him, as follows, viz:

1. All deeds of trust, mortgages or other assignments of real or personal estate, except as hereinafter mentioned, executed after the first day of March, 1857, shall be deemed, held and taken in law for the benefit of all the creditors of the bargainor, mortgagor or assignor, whether named therein or not, in proportion to the amount of their respective debts. Provided, nevertheless, that any person who purchases real or personal estate may, as a part of the contract of purchase, make a deed of trust, mortgage or other conveyance of the property so purchased, to secure the purchase money.

2. It shall be the duty of the public register, in each and every county, to advertise all trusts, mortgages or assignments so made on the first Monday of every month at the Court House door. Provided, however, that all persons claiming under any deed of trust, mortgage or assignment as above provided shall present their claims to the trustee within three months after the sale under any such deed of trust, mortgage or assignment, or be excluded from any benefit therefrom.

And the question was put upon striking out and inserting the above and decided in the affirmative. The question recurring, Mr. Mann moved to strike out the second section, and the question thereon was put and decided in the negative. Mr. Gilliam moved the indefinite postponement of the bill, and the yeas and nays being ordered thereon, the clerk proceeded to call the roll, when the hour for the adjournment arriving, Mr. Settle moved the morning session be extended until 2 o'clock, and it was adopted; and the call proceeded with the following result:

Yeas .....	44
Nays .....	60



On motion of Mr. Gilliam,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting, viz :

YEAS.—Messrs. Badham, Benbury, Bridgers, Bright, Bynum, Bullock, Cox of Perquimons, Crump, Dancy, Dills, Eborn, Eller, Elliott, Ferebee, Folk, Foster, Gilliam, Hall, Hester, Hill of Stokes, Holmes, Jennett, Jones, Little, Long, Martin, Matthews, McIntosh, Meares, Outlaw, Parker, Pickett, Routh, Rushing, Sharp, Slaughter, Speer, Tate, Ward, White of Cabarrus, White of Bladen, Wilson, Withers and Yancy.

And the following in the negative :

NAYS.—Messrs. Barnes, Bethea, Blanton, Bledsoe, Blow, Caldwell, Cansler, Clark, Davidson, Erwin, Gaither, Gentry, Glass, Hackney, Hargrove, Harrell, Houck, Humphrey, Jarvis, Jenkins, Kelly, Leitch, Lewis of Nash, Lyon of Orange, Lyon of Granville, Mabry, Mann, Mason, Montgomery, Morrison, Mosely, Ogburn, Outerbridge, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Sauls, Scott, Settle, Siler, Smallwood, Southerland, Speight, Stewart, Stiles, Strayhorn, Thompson, Tomlinson, Toms, Waddill, Waugh, White of Sampson, Whitson and Williamson.

So the House refused to indefinitely postpone, and the question recurred, as follows: Shall this bill so amended pass the second reading? and was put and

Decided in the negative—Yeas .....	48
Nays .....	58

On motion of Mr. Mann,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting :

YEAS.—Messrs. Barnes, Bethea, Blanton, Bledsoe, Blow, Bullock, Caldwell, Cansler, Clark, Davidson, Erwin, Glass, Hackney, Hargrove, Jarvis, Jenkins, Kelly, Leitch, Lewis of Nash, Love, Lyon of Orange, Lyon of Granville, Mabry, Mason, Montgomery, Morrison, Mosely, Ogburn, Outerbridge, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Sauls, Siler, Smallwood, Speight, Stew-

art, Thompson, Tomlinson, Toms, Waddill, White of Sampson and Whitson.

The following voted in the negative, viz:

NAYS.—Messrs. Badham, Benbury, Bridgers, Bright, Bynum, Cox of Perquimons, Crump, Dancy, Dills, Eborn, Eller, Elliott, Ferebee, Folk, Foster, Gaither, Gentry, Gilliam, Hall, Harrell, Hester, Hill of Stokes, Houck, Holmes, Humphrey, Jennett, Jones, Little, Long, Mann, Martin, Matthews, McIntosh, Meares, Outlaw, Parker, Pickett, Routh, Rumley, Rushing, Scales, Scott, Settle, Sharp, Slaughter, Southerland, Speer, Strayhorn, Tate, Ward, Waugh, White of Cabarrus, White of Bladen, Williamson, Wilson, Withers and Yancy.

By a message from the Senate, the House were informed that the Senate concurred in the proposition to raise a joint select committee to consider and report upon the communication of the Hon. David L. Swain, the Historical Agent, and proposed that it be referred to that committee, to ascertain the number of copies necessary; in which the House concurred. The Senate also transmitted the report of the superintendent and directors of the Insane Asylum, with a proposition to print the same, in which the House concurred; and then,

It being 2 o'clock, the House adjourned.

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WEDNESDAY, 3D DECEMBER, 1856.

The following resolutions were introduced, read and adopted, or referred respectively as follows, viz:

By Mr. Dancy: A resolution directing the committee upon finance to enquire into the expediency of laying a specific or advalorem tax on billiard tables.

By Mr. Jenkins: A resolution directing the issue of a writ to the sheriff of Franklin, to cause an election to be held to fill the vacancy occasioned by the death of Mr. Jeffreys.

And the same being ordered, the writ was issued accordingly.

By Mr. Houck: A resolution directing the committee on

the judiciary to enquire into the expediency of further legislation to prevent the obstruction of railroads.

A message from the Governor, by Pulaski Cowper, Esq., Private Secretary, transmitted a memorial from David Paton, Architect, which was,

On motion of Mr. Jenkins,

Sent to the Senate.

The Speaker laid before the House a letter from John D. Starr, with his report as President of the Bank of Fayetteville, which was ordered to be printed.

Bills and joint resolutions of the following titles were introduced, read, entered upon the calendar, passed the first reading, and referred or put on the second reading, as follows, viz:

By Mr. Crump: a bill (No. 109) to charter Blackmere Lodge of Ancient York Free Masons, No. 127. Table.

By Mr. Lyon of Orange: a bill (No. 110) to prevent the felling of timber in Enoe river. To the committee on propositions and grievances.

By Mr. Pickett: a bill (No. 111) to prohibit obstructions to the passage of fish up the Pee Dee and other rivers. Table.

By Mr. Whitson: a bill (No. 112) to charter a gold mining company in the county of McDowell. To the committee on corporations and currency.

By Mr. Tate: a bill (No. 113) to encourage the formation of a military company in the town of Wilmington. To the committee on military affairs.

By Mr. Jones: a bill (No. 114) to amend the R. C., chapter 104, title Usury. To the judiciary.

By Mr. Thompson: a bill (No. 115) to amend R. C., chapter 102, title Salaries and Fees, s. 29. To the same committee.

By Mr. Kelly: a bill (No. 116) to authorize Samuel S. Bidle to build a bridge across Neuse river. To corporations and currency.

By Mr. White of Cabarrus: a bill (No. 117) to prevent the sale of spirituous liquors near the Western Carolina Female Academy. To propositions and grievances.



From the Senate: an engrossed bill (No. 118) concerning gaming. Filed for the second reading.

From the Senate: an engrossed bill (No. 119) in favor of William M. Mitchell and others, sureties of John P. Bridgers, sheriff, etc. Filed for the second reading.

From the Senate: an engrossed bill (No. 120) to charter the N. C. and New-York Steamship Company. Filed for the second reading.

By Mr. Love: a joint resolution (No. 121) in favor of William M. Rhea, clerk of the county court of Haywood county. To propositions and grievances.

The bill with the following title was then read the second time, viz:

H. 28, to establish the county of Avery; and the question put: Shall this bill pass the second reading? and it was

Decided in the negative—Yeas ..... 47

Nays ..... 63

On motion of Mr. Bridgers,

The yeas and nays were ordered. The following are the names and the vote of all the members of the House present and voting in the affirmative, viz:

YEAS.—Messrs. Blanton, Blow, Bynum, Cansler, Clarke, Cotten, Cox of Jones, Crump, Davidson, Dills, Eller, Erwin, Folk, Gaither, Gentry, Glass, Hackney, Harrell, Jones, Leach, Love, Martin, Matthews, McIntosh, Meares, Moore, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Settle, Sharp, Siler, Speer, Stewart, Stiles, Toms, Waddill, Waugh, White of Cabarrus, Whitson and Yancy.

The following voted in the negative:

NAYS.—Messrs. Badham, Barnes, Benbury, Bethea, Bledsoe, Bridgers, Bright, Bullock, Caldwell, Cox of Perquimons, Dancy, Eborn, Elliott, Ferebee, Foster, Gilliam, Hargrove, Hester, Hill of Stokes, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Kelly, Leitch, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mabry, Mann, Mason, Masten, Montgomery, Morrison, Mosely, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Rand, Rumley, Sauls, Scott, Slaughter, Smallwood, Southerland, Speight,

Strayhorn, Tate, Thompson, Tomlinson, Ward, White of Sampson, White of Bladen, Williamson, Wilson and Withers.

So this bill did not pass the second reading, but was rejected.

Mr. Waugh moved the House do reconsider the vote by which No. 18, concerning deeds of trust and mortgages had been rejected; and, on motion of Mr. Bridgers, the yeas and nays being ordered thereon, Mr. Ward moved to lay the question upon the table; when,

On motion of Mr. Scales,

And at 1 o'clock and 25m., the House adjourned.

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THURSDAY, 4TH DECEMBER, 1856.

The Speaker announced the following appointments, viz :

Tellers on the vote for Governor, Messrs. Smallwood and Ogburn; and that the committee upon the report of the Historical Agent, consisted of the following members, viz : Messrs. Bridgers, Settle and Foster.

The following petition was introduced, read and referred, viz :

By Mr. Lewis of Wake: The memorial of William Peace, concerning the Academy on Burke Square. To the committee on public grounds and buildings.

The following bills, etc., were reported upon as follows, viz :

By Mr. Jenkins, from the committee on the judiciary :

H. 102, favorably.

By Mr. Hargrove, from the committee on propositions and grievances :

H. R. 105, favorably ;

H. R. 121, favorably ;

H, 85, favorably ;

H. 93, favorably ;

H. 95, favorably ; and

H. 38, unfavorably ;

H. 88, unfavorably, and recommending that no legislation be had upon the memorials of John C. Hatfield and others

concerning fire hunting, and that of W. Murphy and others concerning the charter of the town of Salisbury.

By Mr. Humphrey, from the committee on claims :

H. R. 79, unfavorably ;

H. 80, favorably ; and (for a minority)

H. R. 64, recommending an allowance of \$2,000.

By Mr. Reeves, from a majority of the same committee recommending in,

H. R. 64, an allowance of \$4,000 and interest.

By Mr. Leach, from the committee upon the judiciary :

H. 84, unfavorably ; also

The resolution of Mr. Caldwell on the subject of criminal trials.

By Mr. White of Bladen, from the same committee :

H. 98, recommending that it be referred to the committee on finance, and it was so ordered.

By Mr. Gilliam, from the same committee :

H. 71, favorably.

The Speaker signed in the presence of the House the following joint resolutions, the same having been reported by the committee on enrolled bills, etc., to be truly enrolled, viz :

H. R. 41, in favor of Thomas Diggs ; and

S. R. 91, in favor of Quentin Busbee.

Bills and a joint resolution of the title following, were introduced, read, passed the first reading, and were referred as follows :

By Mr. Hill of Stokes : a joint resolution (No. 122) in favor of John Pepper. To the committee upon claims.

By Mr. Rumley : a bill (No. 123) to construct a railroad from Beaufort to the Atlantic Railroad. To the committee on internal improvements.

By Mr. Rushing : a bill (No. 124) in favor of the wardens of the poor. To propositions and grievances.

By Mr. Tate : a bill (No. 125) to amend R. C., chapter 99, title Revenue, s. 65. To the committee on finance.

By Mr. Sharpe : a bill (No. 126) to extend the time for registering deeds. To the judiciary.

On motion of Mr. Outlaw,



*Resolved*, That the Governor be requested to cause to be prepared and communicated to this House, a statement of the amount expended in the survey and drainage of the swamp lands, and also of all the expenses attending the management of the same, since 1836.

The Speaker submitted the report of William W. Clark, president of the Merchants' Bank of New-Berne, which was,

On motion of Mr. Jenkins,

*Ordered* to be printed and sent to the Senate.

A message was received from the Senate, transmitting the engrossed House bill, No. 1, concerning the registration of votes in the town of Wilmington with an amendment, and the question being thereon, it was concurred in; also, that the Senate had appointed Mr. Cunningham to act as teller upon counting the votes for Governor, and Messrs. Cameron and Dockery the Senate branch of the committee upon the historical agency.

The House having resumed the unfinished business of yesterday, the question recurred upon Mr. Waugh's motion to reconsider the vote, by which

H. 18, concerning deeds of trust and mortgages had been rejected; and was put and

Decided in the negative—Yeas ..... 52

Nays ..... 56

On motion of Mr. Bridgers,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting in the affirmative, viz:

YEAS.—MESSRS. Barnes, Bethea, Blanton, Bledsoe, Blow, Caldwell, Cansler, Clarke, Davidson, Dills, Erwin, Gentry, Glass, Hackney, Hargrove, Jarvis, Jenkins, Johnston, Jones, Lewis of Wake, Lewis of Nash, Love, Lyon of Orange, Lyon of Granville, Mann, Mason, McIntosh, Montgomery, Moore, Mosely, Ogburn, Outerbridge, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Sauls, Scott, Siler, Smallwood, Speight, Stewart, Tomlinson, Toms, Waddill, White of Sampson and Whitson.

The following voted in the negative, viz:

NAYS.—Messrs. Badham, Benbury, Bridgers, Bright, Bynum, Bullock, Cox of Jones, Cox of Perquimons, Crump, Dancy, Eller, Elliott, Ferebee, Folk, Foster, Gaither, Gilliam, Hall, Harrell, Hester, Hill of Stokes, Holmes, Humphrey, Jennett, Leach, Leitch, Little, Long, Mabry, Martin, Masten, Matthews, Meares, Morrison, Outlaw, Parker, Pickett, Rushing, Scales, Settle, Sharp, Slaughter, Southerland, Speer, Stiles, Strayhorn, Stubbs, Tate, Thompson, Ward, White of Cabarrus, White of Bladen, Williamson, Withers and Yancy.

So the motion to reconsider did not pass.

The following entitled bill was then read the second time :

H. 36, to establish the standard bushel of wheat and other grains; and the question being, shall this bill pass the second reading, Mr. Meares moved to amend by inserting therein the words "forty-four pounds of rice," and it was adopted. Mr. Ferebee moved to amend by inserting "fifty-four pounds of corn," and it was adopted. Mr. Mann moved to amend by inserting the words "fifty pounds of" before the word "meal," and it was not adopted. Mr. Rankin moved to insert "forty-eight pounds of" in the same place, and it was adopted. Mr. Rankin moved to insert "fifty pounds of" before the word "peas," and it was adopted; and the question recurred, and was put, and decided in the affirmative.

The following entitled bills and joint resolutions were then read the second time, and passed the second reading, or were otherwise respectively disposed of as follows, viz :

H. 37, to amend R. C., chapter 64, title Legacies, Filial Portions and Distributive Shares, s. 3, being read, was

On motion of Mr. Leitch,

Amended by striking out all after the enacting clause and inserting a substitute therefor; whereupon,

On motion of Mr. Little,

The bill so amended was recommitted to the judiciary.

H. R., 42, in favor of Bedford Sherill then passed the second reading; so also,

H. R., 43, in favor of William R. Baird;

H. 46, to divide Chatham county being read, and the question put, shall this bill pass the second reading, it was

Decided in the negative—Yeas ..... 50  
 Nays ..... 58

On motion of Mr. Dancy,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting in the affirmative, viz :

YEAS.—Messrs. Bethea, Blanton, Bledsoe, Blow, Bright, Bynum, Cotten, Crump, Davidson, Dills, Eller, Elliott, Erwin, Folk, Gaither, Gentry, Glass, Hackney, Hill of Stokes, Holmes, Jones, Long, Lyon of Orange, Martin, Matthews, McIntosh, Meares, Montgomery, Mosely, Patterson, Pearson, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Settle, Siler, Speer, Stewart, Stiles, Tomlinson, Toms, Waddill, Ward, White of Cabarrus and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Benbury, Bridgers, Bullock, Caldwell, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Daney, Ferebee, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Houck, Humphrey, Jarvis, Jenkins, Jennet, Johnston, Kelly, Leach, Leitch, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Granville, Mabry, Mann, Mason, Moore, Morrison, Ogburn, Outlaw, Outerbridge, Parker, Pitchford, Sauls, Scott, Sharp, Slaughter, Smallwood, Sutherland, Speight, Strayhorn, Stubbs, Tate, Thompson, White of Sampson, White of Bladen, Whitson, Williamson, Wilson and Withers.

Mr. Hill of Stokes moved that the vote by which H. 28, to establish the county of Avery had been rejected, be reconsidered, and the question was put thereon, and

Decided in the affirmative—Yeas ..... 61  
 Nays ..... 48

On motion of Mr. Dancy,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting in the affirmative :

YEAS.—Messrs. Barnes, Bethea, Blanton, Bright, Bynum, Cansler, Clarke, Cotten, Crump, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Glass, Hackney, Hall,



Harrell, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jenkins, Johnston, Jones, Leach, Lewis of Wake, Lewis of Nash, Love, Martin, Mason, Masten, Matthews, McIntosh, Meares, Patterson, Pearson, Pickett, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Settle, Sharp, Speer, Stewart, Stiles, Tate, Toms, Waddill, White of Cabarrus, White of Bladen, Whitson and Yancy.

The following voted in the negative, viz:

NAYS.—Messrs. Badham, Benbury, Bledsoe, Blow, Bridgers, Bullock, Caldwell, Cox of Jones, Cox of Perquimons, Dancy, Derebee, Gilliam, Hargrove, Hester, Jarvis, Jennett, Kelly, Leitch, Little, Long, Lyon of Orange, Lyon of Granville, Mabry, Mann, Montgomery, Moore, Morrison, Mosely, Ogburn, Outlaw, Outerbridge, Parker, Pitchford, Sauls, Scales, Scott, Siler, Slaughter, Smallwood, Southerland, Speight, Strayhorn, Stubbs, Thompson, Tomlinson, Williamson, Wilson and Withers.

And the vote being reconsidered, the question recurred, and

On motion of Mr. Hill of Stokes,  
was laid upon the table.

On motion of Mr. Caldwell,

The House also reconsidered the vote by which H. 46, to divide Chatham county was rejected, and the question recurred, and was,

On motion of Mr. Hackney,  
laid upon the table.

On motion of Mr. Caldwell,

The hour for the adjournment was postponed 20 minutes, and

H. 59, concerning the lands of the State in the county of Watauga, read the second time, and the question put, shall this bill pass the second reading, and it was

Decided in the affirmative—Yeas .....	62
Nays .....	41

On motion of Mr. Erwin,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting in the affirmative, viz:.

YEAS.—Messrs. Benbury, Bethea, Blanton, Caldwell, Cansler, Crump, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Glass, Hall, Harrell, Hill of Stokes, Houck, Holmes, Humphrey, Jones, Leach, Leitch, Lewis of Wake, Little, Love, Mabry, Martin, Mason, Matthews, McIntosh, Meares, Morrison, Pearson, Pickett, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Scott, Sharp, Siler, Smallwood, Southerland, Speer, Stewart, Stiles, Toms, Waddill, Waugh, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson and Yancy.

And the following voted in the negative:

NAYS.—Messrs. Barnes, Bledsoe, Bynum, Bullock, Cox of Perquimons, Dancy, Ferebee, Gilliam, Hackney, Hargrove, Hester, Hill of Halifax, Jarvis, Jenkins, Jennett, Johnston, Kelly, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mann, Masten, Montgomery, Moore, Mosely, Outerbridge, Parker, Patterson, Pitchford, Rumley, Sauls, Slaughter, Speight, Strayhorn, Stubbs, Tate, Tomlinson, White of Sampson and Withers.

And the House,

On motion of Mr. Leach,

And at 1 o'clock and 50m., adjourned.

FRIDAY, 5TH DECEMBER, 1856.

On motion of Mr. Hackney,

The reports of the committee upon

H. R. 64, in favor of Bennett H. Stanmire; and

On motion of Mr. Jones,

H. 123, to construct a railroad from Beaufort to the North-Carolina and Atlantic Railroad, were ordered to be printed.

The following petitions were introduced, read and disposed of as follows, viz:

By Mr. Rumley: The petition of Jesse H. Davis, owner of Mary Eliza, a slave, for her emancipation. Laid upon the table.

By Mr. Humphrey: The petition of James M. Lovejoy, for

an appropriation in aid of the Raleigh Military Academy. Referred to the committee on public grounds and buildings.

The bills entitled as follows were reported upon, viz :

By Mr. Foster, from the committee on internal improvements :

H. 7, to amend the charter of the Western North-Carolina Railroad Company, with a substitute, which was read, adopted, and ordered to be printed.

By Mr. Hill of Halifax, from the committee on corporations and the currency :

H. 20, unfavorably ;

H. 112, unfavorably.

By Mr. Waugh, from the committee on private bills :

H. 99, unfavorably ;

H. 104, unfavorably.

By Mr. Humphrey, from the committee on claims :

H. R. 106, unfavorably.

The Speaker signed, in the presence of the House, H. 1, concerning the town of Wilmington ; the same being reported by the committee on enrolled bills to have been truly enrolled.

Mr. Patterson introduced the following :

*Resolved*, That on and after Monday next, the House will meet in the afternoon of each day at 3 o'clock ; which being read, was

On motion of Mr. Lewis of Wake,

Indefinitely postponed.

Mr. Pickett introduced the following :

*Resolved*, That the ladies of this city and the vicinity be invited to take seats in the gallery, and suitable accommodations there be provided for them ; which being read, was referred to the committee on propositions and grievances.

Mr. Humphrey introduced the following resolution, viz :

*Resolved*, That the Governor be and he is hereby authorized to make necessary improvements in the Capitol and grounds. Read the first time, passed, and referred to the committee on public grounds and buildings.



Bills and joint resolutions of the titles following were introduced, read and referred as follows, viz:

By Mr. Stiles: a joint resolution (No. 127) in favor of John H. Jones of Cherokee. To the committee on Cherokee lands.

By Mr. Benbury: a bill (No. 128) to remove all free negroes from the State. Referred to a select committee of five.

By Mr. Bynum: a bill (No. 129) to provide for the election of clerks and masters in equity by the people. To judiciary.

By Mr. Patterson: a bill (No. 130) to amend the charter of the town of Graham. To private bills.

By Mr. Waugh: a bill (No. 131) to charter the Winston, Thomasville and Salem Plankroad Company. To internal improvements.

By Mr. Mabry: a bill (No. 132) to amend the R. C., chapter 99, title Revenue, s. 31. To the committee on finance.

By Mr. Martin: a joint resolution (No. 133) in favor of justices of the peace and sheriffs. Filed for the second reading.

The House, proceeding with the calendar, disposed of the following bills upon the second reading, as follows, viz:

H. 6, being the bill of Mr. White of Cabarrus, to amend the R. C., chapter 46, Executors and Administrators, s. 9, was read the second time and the question put, when Mr. White moved to amend the same by striking out all after the enacting clause and inserting a substitute; and the question being first taken upon the motion to strike out, it was decided in the affirmative, and the question being put upon the motion to insert, it was decided in the negative, and no other amendment being offered, Mr. Leach moved that the vote by which the House had refused to insert be reconsidered, and Mr. Outlaw moved the question thereon be indefinitely postponed, and upon this motion the question being put, was decided in the affirmative.

H. 15, to amend R. C., chapter 45, Executions, s. 7, 8, and the substitute read, and the question thereon put, it was decided in the affirmative. The question then recurred on the passage of the bill as amended; Mr. Scott moved to amend as follows: The 7th section of the R. C., chapter 45, is here-

by amended so as to insert in line 4 of said section after the word "school books" the words following, viz: "and other books of his choice not to exceed in value the sum of fifty dollars at cash valuation;" and the question thereon was put and decided in the negative; and the question then recurred as follows: "Shall this bill as amended pass the second reading?" and it was decided in the affirmative.

H. 25, to amend R. C., chapter 46, title Executors and Administrators, s. 21, did not pass the second reading, but was rejected.

At 12 o'clock the Speaker announced the special order being:

S. 73, to amend the art. 1, sec. 3, cl. 2, of the amended Constitution of the State, it being the same which had by three-fifths of the whole number of the last General Assembly been agreed to in each House; and the question being, shall the said bill and the alteration proposed by the last General Assembly be agreed to, and pass the second reading? Mr. Scott offered an amendment, which was not read, Mr. Jenkins objecting thereto, and having raised the point of order whether it was competent to amend a bill of this character; the Speaker decided as follows: "The only question before the House being, whether it shall reject or approve an amendment to the Constitution which is proposed by the last General Assembly in the manner pointed out by the Constitution, and which has been published in its present form previously to the election of the present members, the Chair holds that no amendment to the proposition can now be made or offered."

Mr. Scott appealed from this decision, and the question being, shall the decision of the Chair stand as the judgment of the House, it was

Decided in the affirmative—Yeas .....	108
Nays .....	2

On motion of Mr. Humphrey,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Benbury, Bethea, Blan-

ton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leach, Leitch, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, Martin, Mason, Masten, Matthews, McIntosh, Meares, Montgomery, Moore, Morrison, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scales, Settle, Siler, Smallwood, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson, Withers and Yancy.

Messrs. Outlaw and Scott, voted in the negative.

So the decision of the Chair was sustained and declared to be the judgment of the House, and the question recurring upon the passage of the bill the second reading, was put and

Decided in the affirmative—Yeas ..... 109

Nays ..... 4

On motion of Mr. Lewis of Wake,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting in the affirmative, viz :

YEAS.—Mr. Speaker, Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Eller, Erwin, Folk, Gaither, Gentry, Gilliam, Glass, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnson, Jones, Kelly, Leach, Leitch, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, Martin, Mason, Masten, Matthews, McIntosh, Meares, Montgomery, Moore, Morrison, Mosely, Ogburn, Outlaw, Out-



erbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Settle, Siler, Slaughter, Smallwood, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson, Withers and Yancy.

The following voted in the negative, viz :

NAYS.—Messrs. Caldwell, Elliott, Foster and Scott.

So the bill passed the second reading in the manner prescribed by the constitution ; and, on motion of Mr. Hill of Stokes, was made the special order for to-morrow at 11 o'clock, and the House resumed the calendar.

H. 62, to charter the Roxbridge and Toxaway Turnpike Company, in the county of Jackson, passed the second reading.

H. R. 64, in favor of Bennett H. Stanmire was made a special order for Thursday next at 11 o'clock.

H. 71, for the safe keeping and registration of sheriffs' bonds; the question being upon the amendment proposed by the committee on the judiciary, was further amended,

On motion of Mr. Reeves, so as to include the bonds of constables ; and so amended, it passed the second reading.

H. 76, to charter the Macon County Turnpike Company was, on motion, amended by inserting "ten" in the eleventh section ; and so amended, it passed the second reading.

Yeas ..... 66

Nays ..... 37

On motion of Mr. Bridgers,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting in the affirmative, viz :

YEAS.—Messrs. Badham, Benbury, Bethea, Blanton, Caldwell, Cansler, Clarke, Cox of Perquimons, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Hackney, Hall, Harrell, Hill of Stokes, Humphrey, Jennett, Lewis of Wake, Little, Love, Mabry, Mann, Martin,

Matthews, McIntosh, Meares, Montgomery, Morrison, Mosely, Ogburn, Outlaw, Patterson, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Scales, Scott, Settle, Siler, Slaughter, Southerland, Speer, Stewart, Stiles, Stubbs, Toms, Waddill, Waugh, White of Cabarrus, Whitson, Wilson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cox of Jones, Dancy, Hargrove, Hester, Hill of Halifax, Holmes, Jarvis, Jenkins, Johnston, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Moore, Outerbridge, Parker, Pitchford, Sauls, Smallwood, Speight, Strayhorn, Tate, Thompson, Tomlinson, Ward, White of Sampson, Williamson and Withers.

H. R. 79, in favor of Elizabeth Kissam, was

On motion of Mr. Gilliam,

Laid upon the table.

H. R. 80, in favor of Joseph Ramsay, passed the second reading.

H. 84: a bill concerning registers, did not pass the second reading, but was rejected.

H. 85: to regulate the pay of tales jurors in Tyrell county, was amended so as to include the counties of Robeson and Gaston, and was then

On motion of Mr. Benbury,

Laid upon the table,

The following members of the House had leave of absence for the period respectively stated as follows, viz :

Mr. Ferebee, four days ;

Mr. Tate, one day ;

Mr. Pitchford, two days ;

Mr. Cox of Jones, one day.

Mr. Mann stated that he had changed his opinion upon the question of order raised by Mr. Jenkins, and moved for leave to change his vote, and the question was put thereon and leave was not granted, and then the House, it being 1 o'clock and 30m. adjourned.

SATURDAY, 6TH DECEMBER, 1856.

Mr. Lewis of Nash, had leave of absence for one day, and Mr. Holmes until Wednesday next.

The following petitions were introduced, read, and respectively referred as follows, viz :

By Mr. Hall: the counter memorial and petition of James E. Kerr, Charles F. Fisher, and others, praying the General Assembly to make no change in the charter of the town of Salisbury.

Laid upon the table.

By Mr. Meares: the petition of R. W. Rutland, and others, praying the passage of an act to authorise a special magistrate for the town of Smithville, Brunswick county. To the committee upon the judiciary.

Bills of the following titles were reported upon as follows, viz :

By Mr. Waugh, from the committee on private bills :

H. 45, unfavorably.

By Mr. Hargrove, from the committee on propositions and grievances :

H. 110, favorably ;

H. R. 107, unfavorably.

Bills of the following titles were introduced, read, passed the first reading, and were respectively referred as follows, viz :

By Mr. Little: a bill (No. 134) to alter the line between Richmond and Montgomery counties. To propositions and grievances.

By Mr. Houck: a bill (No. 135) to provide for the election of a special magistrate for the town of Salisbury, in the county of Rowan. To judiciary.

By Mr. Routh: a bill (No. 136) to extend the limits of the City of Raleigh. To corporations and the currency ; and

The following engrossed bills from the Senate, viz :

S. 137, to regulate the distribution of the Revised Code ;

S. 138, to amend the charter of the trustees of Davidson College ;



S. 139, to charter the N. C. and Virginia Railroad Company ;

S. R. 140, in favor of and concerning Cooke's Map of North-Carolina ;

S. 141, to extend the time of registering certain deeds ;

S. 142, to amend the charter of the Cheoih Turnpike Company ; which being read, also passed the first reading, and were filed for the second reading.

The Speaker submitted to the House a report and communication from the president and directors of the North-Carolina Railroad Company, and

On motion of Mr. Erwin,

The same were sent to the Senate with a proposition to print.

The Speaker at 11 o'clock announced the special order, being

S. 73, to amend the art. 1, sect. 3, cl. 2 of the amended constitution of the State, and the question being, shall this bill pass the third reading, it was put and

Decided in the affirmative—Yeas .....	98
Nays .....	5

On motion of Mr. Humphrey,

The yeas and nays were ordered. The following are the names and votes of all the members of the House present and voting, in the affirmative, viz :

YEAS.—Mr. Speaker, Messrs. Badham, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Eller, Erwin, Folk, Gaither, Gentry, Gilliam, Glass, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Honck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Kelly, Leach, Lewis of Wake, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, Martin, Mason, Masten, McIntosh, Meares, Montgomery, Moore, Morrison, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pickett, Ramsour, Rand, Rankin, Richardson, Routh, Rumley, Rushing, Settle, Siler, Slaughter, Smallwood, Southerland, Speer, Speight,

Stewart, Stiles, Strayhorn, Stubbs, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson, Withers and Yancy.

The following voted in the negative, viz :

NAYS.—Messrs. Caldwell, Elliott, Foster, Scott and Sharp.

Two thirds of the whole number of the House voting therefor, the bill passed the third reading, and was ordered to be enrolled.

Mr. David F. Caldwell, a member of the House of Commons from the county of Guilford, then rose in his seat and directed it to be entered upon the Journal that he dissented from and protested against the act, and, afterwards, filed with the clerk his reasons therefor ; which are as follow :

The undersigned, while he cordially approves of the policy of extending to all the free white men of the State the privilege of enjoying and exercising free and equal suffrage at the ballot box, feels constrained by a high and conscientious sense of duty to himself, his country, and more directly to those whom it is his honor as well as pride to represent on this floor, to enter his most solemn protest against the passage, on the 6th inst., of an act, entitled ' A Bill to amend the Constitution of the State of North-Carolina,' commonly known as ' The Free Suffrage Bill.' He protests against it for many reasons, of which he will enumerate but a few :

1. Because it proposes to extend the simple boon of free suffrage to the freemen of North-Carolina in a different way, and upon different conditions, than this right or privilege has been extended by any other State in the confederacy—by destroying all distinction between the two branches of the Legislature ; thus making them essentially one and the same, by electing all the members of the Assembly at the same time for the same period ; and by the same electors precisely.

2. Because it takes away from land that has heretofore always been considered by every enlightened and free people, the chief basis upon which the wealth and prosperity of a country rests, that protection against undue taxation, which is afforded by the property qualification of voters for the Senate

branch of the General Assembly which now represents property.

3. Because the mode of amending the constitution by legislative enactment destroys the confidence with which a free people look to their organic law, by making it as changeable and unstable as the statute law, and by subjecting it to the many vicissitudes of heated party control, and reckless political factions.

4. Because it virtually repeals the great principle of Representative Government, that a majority shall not only be required to enact the statutory law, but shall establish the permanent fundamental law by putting it in the power of *the bare majority of an antagonistic party or faction* through the machinery of caucuses and party drill to sweep away the most valued and salutary provisions of the constitution of our fathers over the heads and against the wishes of *a majority of all*.

5. Because amendments of the constitution by the legislature afford no reliable evidence of the concurrent popular will, inasmuch as local questions, personal predilections, sectional jealousies and party issues may and often will exert a more controlling influence in popular elections than any question of constitutional reform.

6. Because it establishes a precedent for constitutional amendment and reform, utterly variant from the usages and traditions of our ancestors; and further, because the passage of the act in question, should it be ratified by the people, will create an absolute necessity for other reforms, which when taken in connection with the prestige of success that has attended the political fortunes of those who were the first to advocate this dangerous mode of amending the organic law of the State, may give it so permanent a popularity as to bring it into the every day use of the legislature.

7. Because it is a more monarchical tinkering and expensive way of amending the constitution of a free people than the long established republican mode of forming or amending such instruments by a convention.

8. Because by repeated submissions of constitutional amendments to the people there will be engendered a passion



for change, and a proclivity toward a levelling Athenian Democracy, which will, in the future, as it has in the past, overthrow public order, the security of property and the stability of republican government.

9. Because by some unaccountable mistake having had his name recorded in the Journals of this body as on one occasion voting for it, when in fact he did all he could to defeat the bill; and because he honestly believes all the arguments that have been advanced in favor of the legislative mode of amendment, and this Free Suffrage Bill, are more specious than solid, and more plausible than strengthly.

The Speaker submitted to the House the statement of Oscar G. Parsley, President of the Commercial Bank, and it was ordered to be printed and sent to the Senate.

A message from the Senate informed the House of their concurrence in the proposition to print the report of the President and Directors of the North-Carolina Railroad Company, and transmitted certain Bank statements with a proposition to print, in which the House concurred.

On motion of Mr. Hill of Halifax,

The rules being suspended, and

S. 137, concerning the distribution of the Revised Code, read the second time, it was amended as follows: Section 4 The R. C., chapter 121, s. 13, is hereby amended by striking out the word "five" in the ninth line of said section, and inserting the words "twenty-five;" also, by inserting in the fourteenth line after the word "courts" the words "attorney general and solicitors."

5, The R. C., chapter 93, s. 9, is amended by striking out the word "two" in line twenty-one and inserting the word "five."

6, This act shall be in force from and after its ratification.

Whereupon, the bill passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

The House proceeded to consider

H. 10, to aid in the construction of the Western Railroad, and the same was read the second time, when the hour of 12

arrived, being the time fixed upon by the joint committee and adopted by both Houses to count the vote for Governor.

And a message having been already sent to the Senate, informing them of the fact, and that the House waited to receive them, that body was announced, and the following proceedings were had, viz :

The Senate, preceded by their Speaker and Clerk, were received by the House standing, and invited to the seats on the right of the Speaker's chair. The Speaker of the Senate took the chair and announced the business before the convention. In the presence of a majority of both Houses he opened the sealed returns for each county in alphabetical order, and read them aloud. The Principal Clerks of the two Houses, under the supervision and direction of the joint tellers, recorded the votes as they were declared by the Presiding Officer, and at the close thereof, handed one list to the tellers, who counted them in the House, and through the teller of the Senate, reported as follows, viz :

At the election in August last for Governor, Thomas Bragg of the county of Northampton, received 57,598 votes, and John A. Gilmer of the county of Guilford, 44,970 votes. This result he delivered to the Speaker of the Senate.

Thereupon, the Speaker of the Senate announced the state of the vote to the two Houses, and in their presence he declared that Thomas Bragg, having received a majority of all the votes so given in, was duly elected Governor of this State for two years, from and after the first day of January next, when he should be installed, and until another should be duly elected and qualified, and there was no dissent.

The Speaker of the Senate then declared the convention dissolved, and the Senate, preceded by him and their clerk, retired from the hall ; when

The Speaker resumed the chair, and the hour for the adjournment arriving, the House adjourned.

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Pursuant to the resolution of the joint committee ; to this

Journal there is attached the list of votes in each county, as recorded by the Clerk of the House, as follows, viz:

FOR THOMAS BRAGG.—Ashe 734; Alamance 916; Anson 334; Alexander 466; Burke 523; Buncombe 969; Brunswick 404; Bertie 470; Beaufort 539; Bladen 608; Caswell 1,120; Cherokee 632; Currituck 556; Chowan 291; Carteret 493; Cumberland 923; Cabarrus 426; Caldwell 438; Catawba 968; Columbus 589; Cleaveland 1,109; Craven 784; Chatham 1,166; Camden 107; Duplin 1,113; Davie 353; Davidson 823; Edgecombe 1,563; Franklin 744; Forsythe 1,080; Greene 432; Guilford 571; Granville 1,225; Gaston 759; Gates 459; Haywood 537; Henderson 665; Hyde 332; Halifax 736; Hertford 335; Harnett 652; Johnston 1,036; Iredell 351; Jones 261; Jackson 570; Lenoir 447; Lincoln 614; Montgomery 211; Martin 706; Macon 367; Madison 576; Mecklenburg 1,024; Moore 733; McDowell 536; Northampton 695; New Hanover 1,522; Nash 1,107; Onslow 771; Orange 1,119; Polk 317; Pitt 775; Person 678; Perquimons 304; Pasquotank 330; Rutherford 845; Rowan 885; Richmond 246; Randolph 566; Rockingham 1,168; Robeson 774; Stanly 166; Stokes 769; Sampson 990; Surry 877; Tyrrel 124; Union 835; Warren 819; Watauga 257; Washington 261; Wilkes 609; Wayne 1,332; Wake 1,693; Yadkin 698; Yancey 810.—Total 57,598.

And the following for JOHN A. GILMER, viz:—Ashe 708; Alamance 645; Anson 772; Alexander 411; Burke 459; Buncombe 786; Brunswick 468; Bertie 545; Beaufort 833; Bladen 481; Caswell 211; Cherokee 574; Currituck 146; Chowan 230; Carteret 502; Cumberland 701; Cabarrus 665; Caldwell 425; Catawba 158; Columbus 306; Cleveland 138; Craven 535; Chatham 1,062; Camden 474; Duplin 155; Davie 586; Davidson 1,189; Edgecombe 189; Franklin 334; Forsythe 926; Greene 289; Guilford 2,059; Granville 994; Gaston 133; Gates 392; Haywood 254; Henderson 647; Hyde 501; Halifax 584; Hertford 393; Harnett 227; Johnston 817; Iredell 1,349; Jones 180; Jackson 112; Lenoir 263; Lincoln 222; Montgomery 725; Martin 340; Macon 396; Madison 247; Mecklenburg 623; Moore 677; McDow-



ell 395; Northampton 428; New Hanover 570; Nash 93; Onslow 108; Orange 1,045; Polk 161; Pitt 716; Person 384; Perquimons 348; Pasquotank 502; Rutherford 631; Rowan 605; Richmond 556; Randolph 1,281; Rockingham 439; Robeson 669; Stanly 797; Stokes 498; Sampson 497; Surry 579; Tyrrel 309; Union 273; Warren 101; Watauga 392; Washington 377; Wilkes 1,264; Wayne 274; Wake 1,124; Yadkin 886; Yancey 320.—Total 44,970.

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MONDAY, 8TH DECEMBER, 1856.

Another member, viz: Mr. William B. March, from the county of Davie appeared, was sworn, and took a seat in the House.

The Speaker announced the following committees. On enrolled bills, Messrs. Yancy, Bledsoe, Rushing, McIntosh and Siler.

Upon H. 128, Messrs. Benbury, Meares, Erwin, Cox of Perquimons and Badham; and the following in the place of Mr. Jeffreys upon the committee of internal improvements, viz: Mr. John Yancy; he also submitted a letter from the Public Treasurer enclosing reports from the Bank of Washington, the Bank of Wadesboro' and the Bank of the State of North-Carolina, which last were ordered to be sent to the Senate with a proposition to print.

The following resolutions were introduced, read and adopted or disposed of as follows, viz:

By Mr. Gilliam: one directing the judiciary committee to report a bill to provide more effectually against the escape of slaves in vessels navigated by northern crews, and trading to the North.

By Mr. Badham: another to postpone action upon all bills involving an appropriation to or aid for works of internal improvement. Laid over under the rules.

By Mr. Settle: another requiring the judiciary committee to enquire and report upon the propriety of amending the R.

C., chapter 59, title Insolvent Debtors, s. 5, so as to make them pay fines or fees in certain cases.

By Mr. McIntosh: another directing the same committee to enquire and report upon certain proposed modifications of the R. C., chapter 114, title Usury.

The following bills were introduced, read, passed the first reading, and referred respectively as follows, viz:

By Mr. Stubbs: a bill (No. 143) to provide for settling disputed boundaries. To judiciary.

By Mr. Reeves: a bill (No. 144) to open Yadkin River to the free passage of fish. To propositions and grievances.

The following bill, on the second reading, was considered and disposed of as follows, viz:

H. 10, to aid in the construction of the Western and Fayetteville Road, being read, and the question put, Mr. Badham moved to lay the same upon the table, and it was not agreed to.

Yeas ..... 44

Nays ..... 55

On motion of Mr. Badham,

The yeas and nays were ordered. The following are the names and vote of all the members of the House present and voting in the affirmative, viz:

YEAS.—Messrs. Badham, Benbury, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cotten, Cox of Perquimons, Dancy, Gilliam, Hackney, Hargrove, Hester, Hill of Halifax, Jarvis, Jennett, Johnston, Kelly, Lewis of Nash, Long, Lyon of Granville, Mann, Mason, Masten, Montgomery, Moore, Outlaw, Outerbridge, Parker, Patterson, Rand, Settle, Slaughter, Smallwood, Speight, Stubbs, Tate, Thompson, Waugh, Williamson, Wilson and Withers.

The following voted in the negative, viz:

NAYS.—Messrs. Bethea, Blanton, Caldwell, Cansler, Clarke, Crump, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Glass, Hall, Harrell, Hill of Stokes, Houck, Humphrey, Leach, Leitch, Little, Love, Mabry, March, Martin, McIntosh, Meares, Morrison, Ogburn, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Scales, Scott, Sharp, Siler, Southerland, Speer, Stewart, Tomlinson,

Toms, Waddill, White of Sampson, White of Cabarrus, White of Bladen, Whitson and Yancy.

So the House refused to lay the bill upon the table, and the question thereon recurred, and was,

On motion of Mr. Dancy,  
postponed and made a special order for Friday next at 11 o'clock.

The following messages were received from the Senate, and being read concurred in, viz :

One agreeing to the proposal to print the Bank statements and letter of the Public Treasurer, and proposing on their part to print in addition to the number allowed by law 300 other copies of the Comptroller's report. By another message the House were informed of the appointment of the following Senators to the committee on enrolled bills, viz: Messrs. Holmes, J. W. Thomas and Ward.

The following entitled bills, on the third reading, were read and passed, and then ordered to be engrossed and sent to the Senate, or otherwise disposed of as follows, viz :

H. 15, to amend R. C., chapter 45, title Executions, s. 8, as amended on the 5th December.

H. 19, in favor of Thomas J. Williams, sheriff of Surry; the same being first amended so as to include Walter A. Wilburne, M. H. Kilpatrick and Robert G. Suttle.

H. 36, to establish the standard bushel of wheat, rye, indian corn, etc.

H. R. 42, in favor of Bedford Sherril.

H. R. 43, in favor of Wm. R. Baird.

H. 59, concerning the lands of the State in the county of Watanga, being read the third time, and the question thereon put, Mr. Reeves moved to amend the same by inserting the words "and Surry," and Mr. Clarke the word "Caldwell," and the questions thereon were put, and decided in the negative, when the question recurred and was put, and

Decided in the affirmative—Yeas ..... 58

Nays ..... 38

On motion of Mr. Dancy,

The yeas and nays were ordered. The following are the



names of all the members of the House present and voting in the affirmative :

YEAS.—Messrs. Badham, Benbury, Bethea, Blanton, Caldwell, Cansler, Crump, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Hall, Harrell, Hill of Stokes, Honck, Humphrey, Jennett, Leach, Leitch, Little, Love, Mabry, Mann, March, Martin, McIntosh, Meares, Morrison, Ogburn, Outlaw, Pearson, Pickett, Ramsour, Rand, Reeves, Richardson, Routh, Scales, Scott, Settle, Siler, Southerland, Speer, Stewart, Stiles, Toms, Waddill, White of Cabarrus, White of Bladen, Whitson, Wilson and Yancy.

The following voted in the negative, viz :

NAYS.—Messrs. Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Clarke, Cotten, Cox of Perquimons, Dancy, Hackney, Hargrove, Hester, Hill of Halifax, Jarvis, Johnston, Jones, Kelly, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Montgomery, Moore, Outerbridge, Parker, Patterson, Rankin, Rushing, Smallwood, Speight, Stubbs, Tate, Thompson, Tomlinson, White of Sampson, Williamson and Withers.

H. R. 65, in favor of Martha Spears ;

H. R. 66, in favor of Sarah Avery ;

H. 71, concerning the safe keeping and registration of sheriffs and constables bonds, the same being first amended,

On motion of Mr. Gilliam,

by inserting in the fifth line of section one, after the word "given," the words "within ten years last past." Mr. Rushing moved to amend by inserting "provided that this act shall not extend to any bond given before the passage of this act," and the question was put thereon and decided in the negative. The bill then passed the third reading.

H. 76, to charter the Macon County Turnpike Company.

Yeas ..... 61

Nays ..... 34

On motion of Mr. Parker,

The yeas and nays were ordered. The following are the names of all the members present and voting in the affirmative, viz :

YEAS.—Messrs. Badham, Benbury, Béthea, Blanton, Caldwell, Cansler, Clarke, Crump, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gilliam, Glass, Hall, Harrell, Hill of Stokes, Houck, Humphrey, Jennett, Leach, Leitch, Little, Love, Mabry, Mann, March, Martin, McIntosh, Meares, Montgomery, Morrison, Ogburn, Pearson, Ramsour, Reeves, Routh, Rumley, Rushing, Scales, Scott, Settle, Siler, Slaughter, Southerland, Speer, Stewart, Stiles, Stubbs, Toms, Waddill, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson and Yancy.

The following voted in the negative :

NAYS.—Messrs. Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Co'ten, Cox of Perquimons, Dancy, Hackney, Hargrove, Hester, Hill of Halifax, Jarvis, Johnston, Kelly, Lewis of Nash, Long, Lyon of Granville, Mason, Masten, Moore, Outerbridge, Parker, Pickett, Rand, Rankin, Smallwood, Speight, Tate, Thompson, Tomlinson, White of Sampson and Withers.

H. R. 80, in favor of Joseph Ramsay.

Bills of the following titles were read and passed respectively the second reading, or were otherwise disposed of as follows, viz :

H. 20, to charter the Exchange Bank in Newbern, read the second time and tabled.

H. 45, in favor of Richard Whitesides.

H. 88, to increase the salary of the Secretary of State. Recommended to propositions and grievances.

H. 89, to provide payment for tales jurors in Mecklenburg county. Recommended to the judiciary, with instructions to prepare and report a general bill upon the same subject ; when

The hour for the adjournment arriving, the House adjourned.

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TUESDAY, 9TH DECEMBER, 1856.

The Speaker submitted to the House the report of the President and Directors of the Western N. C. Railroad Com-

pany, and of the Cape Fear and Deep River Navigation Company, which were thereupon ordered to be sent to the Senate with a proposition to print.

The bills of the following titles were reported upon, as follows, viz:

H. 82, by Mr. Elliott, from the committee on education, unfavorably.

H. 75, by Mr. Little, from the same committee, unfavorably.

H. 56, by Mr. Scales, from the same, with an amendment.

H. 96, by Mr. Scales, from the same, favorably.

The following resolutions were introduced, read and adopted, viz:

By Mr. Scott, a resolution instructing the committee on the judiciary to enquire and report upon the propriety of abolishing the public execution of felons.

By Mr. Thompson, another to grant the use of the Hall for an exhibition of the deaf, dumb and blind pupils of the State asylum, on Friday, P. M.

Bills and joint resolutions of the following titles were introduced, read, passed the first reading, and were otherwise disposed of as follows, viz:

By Mr. Bullock: a joint resolution (No. 145) in favor of Thomas H. Wiley. To propositions and grievances.

By Mr. Badham: a bill (No. 146) to regulate the sale of State bonds.

By Mr. White of Bladen: a bill (No. 147) concerning surety and principal.

By Mr. Little: a bill (No. 148) to charter the town of Rockingham, in the county of Richmond.

By Mr. Lyon of Granville: a joint resolution (No. 149) in favor of Joseph Clarke.

The House having resumed the consideration of the resolution of Mr. Badham, concerning State aid to internal improvements, it was withdrawn.

H. 45, in favor of Richard Whitesides did not pass the third reading, but was rejected.

The bills and joint resolutions respectively entitled as fol-



laws, being read the second time, passed, or were otherwise disposed of as follows, viz :

H. R. 93, in favor of James A. Brown.

H. 95, concerning fish in Roanoke and Cashie rivers.

H. 99, to emancipate certain slaves did not pass the second reading, but was rejected.

Yea ..... 1

Nays..... 97

On motion of Mr. Strayhorn,

The yeas and nays were ordered.

Mr. Mann voted in the affirmative.

The following members voted in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Eborn, Eller, Erwin, Folk, Gaither, Gilliam, Glass, Hackney, Hall, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jennett, Johnston, Kelly, Leitch, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, March, Martin, Mason, Masten, McIntosh, Meares, Montgomery, Moore, Morrison, Ogburn, Outlaw, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Scott, Sharp, Siler, Slaughter, Smallwood, Southerland, Speer, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson, Withers and Yancy.

H. 102, to repeal R. C., chapter 85, title Pilots, s. 17.

H. 104, concerning Chatham and Alamance counties.

H. R. 105, in favor of James Blevins.

H. R. 106, in favor of Samuel Williams and son. Table.

H. R. 107, in favor of John Buffaloe, did not pass the second reading, but was rejected.

H. R. 108, in favor of cadets at military schools.

H. 109, to charter Blackmer Lodge of Ancient Free Masons, did not pass the second reading, but was rejected.

H. 110, to prevent the felling of timber in Enoe river.

H. 111, to prohibit obstructions to the passage of fish up the Pee Dee and Yadkin rivers.

H. 112, to charter a Gold Mining Company in the county of McDowell, did not pass the second reading, but was rejected.

S. 118, concerning gaming.

S. 119, for the relief of the sureties of John P. Bridgers.

S. 120, to charter the N. C. and New-York Steamship Company.

S. R. 121, in favor of William M. Rhea.

S. R. 133, in favor of justices of the peace and sheriffs, did not pass the second reading, but was indefinitely postponed.

S. 138, to amend the charter of Davidson College, and then,

On motion of Mr. Leach,

The rule being suspended, it passed the third reading and was ordered to be enrolled.

S. 139, to charter the Virginia and N. C. Railroad Company. Referred to internal improvements.

S. R. 140, concerning Cooke's map, the same being first amended by adding, "also two copies of the large map of the United States," and then,

On motion of Mr. Humphrey,

It passed the third reading, and was ordered to be sent to the Senate.

S. 141, to extend the time for registering certain deeds.

S. 142, to amend the charter of the Cheoih Turnpike Company.

A message from the Senate to inform the House that the Senate had passed the engrossed H. 34, to cede to the United States Mt. Tirzah, with an amendment, which being read, was laid upon the table; also, that they had agreed to the amendments to H. R. 137, concerning the distribution of the Revised Code.

A message from the Governor, by Pulaski Cowper, Esq., with the report of John D. Whitford, President of the Atlantic and N. C. Railroad.

*Ordered*, To be sent to the Senate with a proposition to print.

Bills of the following titles then passed the third reading, and were ordered to be engrossed, and sent to the Senate, viz :

H. 102, to repeal R. C., chapter 80, title Pilots, s. 17 ;

H. 95, concerning fish ; and then

The House, and at 1 o'clock and 20m., adjourned.

WEDNESDAY, 10TH DECEMBER, 1856.

The following entitled bills were reported upon as follows, viz :

H. 125, by Mr. Hargrove, from propositions and grievances, unfavorably ; also,

H. 97, unfavorably ;

H. 117, unfavorably ; and

H. 134, favorably.

H. 70, by Mr. Bledsoe, from the committee on finance, with amendments, favorably.

H. 98, by Mr. Elliott, from the same, unfavorably.

H. 115, by Mr. Thompson, from the committee on the judiciary, with amendments.

H. 132, by Mr. McIntosh, from the committee on finance, unfavorably.

H. 87, by Mr. Gilliam, from judiciary, favorably ; also,

H. 103, favorably ; and

H. 78, favorably ; and unfavorably

Mr. Ward's resolution to extend the jurisdiction of one magistrate out of court.

H. 8, by Mr. Erwin, from internal improvements, with amendments ; also,

H. 12, with amendments. Ordered to be printed.

By Mr. Smallwood, from the committee upon finance, reported unfavorably Mr. Dancy's resolution concerning a tax upon billiard tables.



H. 89, by Mr. Bridgers, from judiciary, with a substitute and unfavorably ; also,

H. 176, favorably ;

H. 58, favorably ;

H. 135, favorably, and recommended that no action be had upon the memorial of R. M. Rutland and others, for a special magistrate in Brunswick county.

H. 162, by Mr. Humphrey, from public grounds and buildings, with an amendment.

H. 3, by Mr. Hill of Halifax, from corporations and currency, unfavorably ; also,

H. 49, unfavorably ;

H. 55, unfavorably ;

H. 2, unfavorably.

On motion of Mr. Caldwell,

H. 2, to charter the " People's Bank " was made the special order for Tuesday next, at 11 o'clock, A. M.

Mr. White of Bladen, from the committee on the judiciary, reported Mr. Morrison's resolution in regard to free persons of color, and Mr. Houck's resolution concerning railroad obstructions, unfavorably.

The following joint resolution was then introduced, read, passed the first reading, and the rule being suspended, the second and third readings, and was ordered to be engrossed and sent to the Senate, viz :

H. R. 150, by Mr. Foster, to authorise Dr. Francis L. Hawks to search the public libraries for historical material.

Bills and joint resolutions of the titles following were introduced, read and referred as follows, viz :

By Mr. Hill of Halifax : a joint resolution (No. 157) in favor of W. W. Daniel. To propositions and grievances.

By Mr. Bridgers : a joint resolution (No. 152) in favor of Theodore Schrader. To the same committee.

By Mr. Yancy : a bill (No. 153) concerning Big and Little Ivy rivers in Madison county.

By Mr. Hill of Halifax : a bill (No. 154) concerning small notes.

By the same: a bill (No. 155) concerning counterfeit notes. To corporations and currency.

By Mr. Clarke: a bill (No. 156) concerning witnesses before justices of the peace. To judiciary.

By Mr. Yancy: a bill (No. 157) to establish a road in Madison county.

By Mr. Scales: a bill (No. 158) concerning the public arms.

By Mr. Humphrey: a joint resolution (No. 162) concerning capitol square. To public grounds and buildings.

And the following from the Senate, viz:

S. 159, to amend charter of the Fayetteville and Western Plankroad Company.

S. 160, to charter Salem, in Forsythe county.

The House were informed by message, of the concurrence of the Senate in the amendments to S. R. 140, concerning Cooke's map, and the proposal to print the Governor's message of yesterday and the accompanying documents. The Senate proposed also to proceed forthwith to elect five trustees for the University, and the question being thereon, it was not concurred in; but, on motion of Mr. Outlaw, a message was sent to the Senate, proposing to hold the election at 11 o'clock to-morrow.

A message from the Governor, by Pulaski Cowper, Esq., Private Secretary, transmitted the report of James C. Turner, Engineer of the Western North-Carolina Railroad Survey; and the reports of the Fayetteville and Western Plankroad Company, the Petersburg and Roanoke Railroad Company, and of Jacob Siler, agent of Cherokee lands; ordered to be sent to the Senate, with a proposition to print.

Bills and joint resolutions of the titles following, upon the third reading, were read the third time and passed the third reading, and ordered to be engrossed and sent to the Senate, or otherwise disposed of as follows, viz:

H. R. 93, in favor of James A. Brown;

H. 104, concerning Chatham and Alamance counties;

H. R. 105, in favor of James Blevins;

H. R. 108, in favor of cadets at military schools;

II. 110, to prevent the felling of timber in Enoe and Fish rivers;

H. 111, to prohibit obstructions to the passage of fish up Pedee and Yadkin rivers;

S. 118, concerning gaming. Ordered to be enrolled.

S. 119, for the relief of the sureties of John P. Bridgers. Ordered to be enrolled.

S. 120, to charter the N. C. and New York Steamship Company. Ordered to be enrolled.

H. R. in favor of William M. Rhea;

S. 141, to extend the time for registering certain deeds. Ordered to be enrolled.

S. 142, to amend the charter of the Cheoih Turnpike Company. Ordered to be enrolled.

Bills and joint resolutions of the titles following, upon the second reading, were read the second time, and passed the second reading, or otherwise disposed of as follows, viz:

II. 36, concerning the Common Schools of North-Carolina; the question being put upon the amendments proposed by the committee upon education, they were adopted. Mr. Scott moved to amend, by striking out of the 12th section the words "and from road and military service;" and it was adopted. Mr. Houck moved to amend, by inserting in the 3d line of section 16, after the word "Chairman," or any suitable person; and it was adopted. Mr. Reeves moved to strike out the 11th section; and it was not adopted. Mr. Montgomery moved to strike out the 13th section; and it was not adopted.

II. 75, to repeal the act of 1852, creating the office of Superintendent of Common Schools, did not pass the second reading; but was,

On motion of Mr. Jenkins,

Indefinitely postponed.

H. 82, to amend R. C., chapter 66, title Literary Fund and Common-Schools, s. 32, did not pass the second reading, but was rejected.

S. 92, to provide for securing costs in the action of ejectment, did not pass the second reading; whereupon,

On motion of Mr. Scales,



The vote was reconsidered, and the question recurring, the bill was referred to the committee upon the judiciary.

H. 96, to charter York Collegiate Institute.

H. 146, to regulate the sale of State Bonds was laid upon the table.

H. 148, to charter the town of Rockingham, in the county of Richmond.

S. 160, to charter the town of Salem, in the county of Forsythe, and the rule being suspended,

On motion of Mr. Waugh,

The bill was read the third time, and the question put.

On motion of Mr. Reeves,

The yeas and nays were ordered, and the clerk proceeded to call the roll, when the hour for the adjournment arrived, and the House adjourned.

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THURSDAY, 11<sup>TH</sup> DECEMBER, 1856.

The Speaker submitted the reports of the superintendent and directors of the Deaf, Dumb, and Blind Asylum. Ordered to be sent to the Senate with a proposition to print the first named.

The bills and joint resolutions following were reported upon as follows, viz :

H. 38, by Mr. Hargrove, from the committee on propositions and grievances, unfavorably ; also

H. R. 149, unfavorably ;

H. R. 145, unfavorably ; and

H. 88, with an amendment, favorably.

H. 130, by Mr. Waugh, from the committee on private bills, favorably.

H. 103, by Mr. Erwin, from the committee on internal improvements, with amendments. Ordered to be printed. Also,

H. 62, favorably.

A message from the Senate announced their concurrence in the proposition to proceed, at 11 o'clock, to the election of five trustees for the University, and that the following were

nominated in that body, viz: John W. Ellis, John F. Hoke, Samuel J. Person, Hardy L. Holmes, J. B. Cherry, W. J. Bingham, Purdie Richardson, John H. Drake, R. Dillard, Richard A. Hamilton, William W. Holden, Victor C. Barringer, M. S. Wiggins, S. H. Christian, Pat Murphy, Jesse A. Waugh, C. F. Deems, Paul Cameron and Alfred Dockery; also that Messrs. Brodgen and Gorrell would superintend the election on the part of the Senate; whereupon the Speaker appointed Messrs. Bright and Eborn from the House, and the following nominations were made, viz: W. F. Dancy, R. S. Donnell, C. F. Deems, A. Baker, R. A. Hamilton, J. F. Hardy, J. A. Waugh, G. M. White, T. Settle, jr., W. J. Bingham, D. Coleman, J. H. Drake, W. P. Ward, S. H. Christian, J. U. Kirkland, P. Richardson, George Davis, Daniel S. Russell, R. Dillard, D. W. McLane, P. C. Cameron, H. L. Holmes, N. Selby, J. B. Cherry, W. W. Lenoir, John Smith, J. J. Jackson, R. F. Simonton, David Outlaw, J. G. Ramsay, Thos. J. Person, Samuel F. Phillips, R. P. Watt and B. A. Kittrell.

The Speaker signed in the presence of the House the following enrolled bills, viz:

S. 73, to amend the Constitution, the same being reported by the committee on enrolled bills, to be truly enrolled.

Bills and joint resolutions of the following titles were introduced, read, passed the first reading, and were respectively referred and otherwise ordered as follows, viz:

By Mr. Glass: a joint resolution (No. 163) in favor of James Morrison. To propositions and grievances.

By Mr. Glass: a joint resolution (No. 164) in favor of Eliza Hemphill. To the same.

By Mr. Outlaw: a bill (No. 165) concerning the competency of certain witnesses. To judiciary.

By Mr. Hackney: a bill (No. 166) to amend the charter of the Gulph and Graham Plankroad Company. To internal improvements.

By Mr. Hall: a bill (No. 167) to provide for the establishment of Female Normal Schools. Ordered to be printed and referred to education.

By Mr. Mann: a bill (No. 168) to repeal part of R. C., chapter 61, title Internal Improvement, s. 34. To propositions and grievances.

By Mr. Wilson: a bill (No. 169) concerning Colerain Wharf, in the county of Bertie. To private bills.

By Mr. Barnes: a bill (No. 170) to establish the county of Dobbin. To propositions and grievances.

By Mr. Foster: a bill (No. 171) to charter the Thomasville and N. College Turnpike Company. To internal improvements.

By Mr. Meares: a bill (No. 172) to amend an act of 1854, entitled Civil Trials. To the judiciary.

By Mr. Gilliam: a bill (No. 173) to encourage Matrimony. To propositions and grievances.

By Mr. Houck: a bill (No. 174) to amend the R. C., chapter 34, title Crimes and Punishments, s. 99. Judiciary.

The House having resumed the unfinished business, the clerk proceeded to call the roll, the pending question being shall

S. 160, to charter the town of Salem, in the county of Forsythe, pass the third reading? And the question being put, was

Decided in the affirmative—Yeas .....	95
Nays .....	7

On motion of Mr. Gilliam,

The yeas and nays were ordered. The following are the names of all the members present and voting in the affirmative, viz:

YEAS.—Messrs. Bethea, Bledsoe, Blow, Bridgers, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Crump, Dancy, Dargan, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Jenkins, Jennett, Johnston, Leach, Leitch, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, March, Martin, Mason, Masten, Matthews, McIntosh, Meares, Montgomery, Moore, Morrison, Mosely, Outlaw, Parker, Patterson, Pearson, Pick-



ett, Pitchford, Ramsour, Rand, Rankin, Richardson, Rumley, Rushing, Sauls, Scales, Scott, Sharp, Siler, Slaughter, Smallwood, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Thompson, Tomlinson, Toms, Waddill, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Whitson and Williamson.

The following members voted in the negative, viz :

NAYS.—Messrs. Barnes, Blanton, Humphrey, Reeves, Routh, Withers and Yancy.

So the bill passed the third reading and was ordered to be enrolled.

The joint resolution of the title following, viz :

H. R. 64, in favor of Bennet H. Stanmire, was by special order considered, the question pending being, shall this resolution be amended by inserting the sum recommended by the majority of the committee on claims. Mr. Humphrey asked leave to amend the report of the minority so as to reduce the sum they recommended to be paid five hundred and fifty-two dollars, and a debate ensued, which continued until the hour of adjournment, when the House adjourned.

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FRIDAY, 12TH DECEMBER, 1856.

The following messages were received from the Senate, viz :

One transmitting the reply of the Comptroller to a resolution of enquiry from the Senate, and others to inform the House that they agreed to print the report of the President and Directors of the Deaf and Dumb Asylum, and had rejected No. 26, a bill of the House concerning protest notices ; also returning the report of the State historical agent and the accompanying documents, and various propositions to print, which were concurred in and ordered accordingly.

The following messages were received from the Governor, by Pulaski Cowper, Esq., private secretary, viz :

One in obedience to the resolution of enquiry concerning Swamp Lands, which was,

On motion of Mr. Outlaw,

Ordered to be printed, and referred to the committee on swamp lands; another transmitted the report of R. L. Myers, one of the commissioners of the Tau river improvement, and the report of Charles Manly, Treasurer of the University. Ordered to be sent to the Senate with a proposition to print.

The following petitions were introduced, read and referred as follows, viz :

By Mr. Hall, the petition of Judge Caldwell and others, praying the emancipation of William Shaver. Table.

By Mr. Clarke, the petition of W. W. Lenoir and others, praying for the prohibition of sales by retail of spirituous liquors in the town of Lenoir. To propositions and grievances.

By Mr. Leitch, the petition of Elias Baxley and others, praying a revision of the laws concerning free negroes. To judiciary.

The following memorial and bills were reported upon as follows, viz :

By Mr. Humphrey, from the committee on public grounds and buildings; the memorial of William Peace, concerning Burke square, unfavorably.

On motion of Mr. Hill of Halifax,

The same was referred to the committee on claims.

H. R. 122, by Mr. Houck, from the committee on claims, with an amendment; also,

H. 40, unfavorably;

H. 61, by Mr. Waugh, from the committee on private bills, unfavorably;

H. 32, by Mr. Erwin, from the committee on internal improvements, favorably;

H. 2, by Mr. Caldwell, from the committee on corporations and currency, a minority report. Ordered to be printed.

Mr. Bright, from the committee to superintend the election of University Trustees, reported that there had been no election.

A bill of the following title was introduced, read, passed the first reading, and disposed of as follows, viz :

By Mr. Hall, a bill (No. 175) to emancipate William Shaver, of Rowan county. Table.

The House resumed the unfinished business.

H. R. 64, in favor of Bennet H. Stanmire; the pending question being the amendment of a majority of the committee. Mr. Rankin moved the resolution be referred to a joint-select committee of five on the part of the House and four Senators, and it was adopted, and a message sent to the Senate accordingly.

The House then considered, by special order,

H. 10, to aid in the construction of the Western and Fayetteville Railroad, until near the hour of adjournment, when,

On motion of Mr. Outlaw,

The bill was postponed until to-morrow, at 11 o'clock; and the House, it being the hour of adjournment, adjourned.

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SATURDAY, 13TH DECEMBER, 1856.

The Speaker signed the enrolled bills of the titles following, the same being reported by the committee thereon to be truly enrolled, viz:

S. 142, to amend the charter of the Cheoih Turnpike Company.

S. 141, to extend time for registering certain deeds, etc.

S. 118, concerning gaming.

S. R. 119, in favor of William M. Mitchell.

S. 120, to charter the North Carolina and New York Steamship Company.

S. 138, to amend charter of Davidson College.

H. 38, in favor of commissioners of Tau-boro'.

H. 160, to charter the town of Salem.

Bills and joint resolutions of the following titles were introduced, read, passed the first reading, and were referred or disposed of as follows, viz:

By Mr. Gilliam: a bill (No. 176) concerning a homestead exemption. Ordered to be printed and judiciary.



By Mr. Dargan: a bill (No. 177) to charter Eagle City Bank. To corporations and currency.

By Mr. Settle: a bill (No. 178) to repeal R. C., chapter 20, title Clerks and Masters in Equity, s. 4. To judiciary.

By Mr. Mann: a bill (No. 179) concerning justices of the peace. To propositions and grievances.

And the following were introduced from the Senate, read, passed and filed for the second reading, viz:

S. R. 180, concerning the historical agent.

S. 181, an engrossed bill to increase witness's pay in Dublin.

S. R. 182, in favor of John H. DeCarteret & Son.

S. 183, an engrossed bill concerning naval stores in Wilmington. The Senate disagreed in the proposition to raise a joint committee on

H. R. 64, in favor of Bennet H. Stanmire.

The House having resumed the unfinished business.

H. 10, to aid the construction of the Fayetteville and Western Railroad, Mr. Patterson moved to amend as follows: Strike out all in the 9th line of sec. 1, after the word "road," and insert "to the work shops on the North-Carolina Railroad," and it was not adopted. The question then recurred upon the passage of the bill the second reading, and was put and

Decided in the negative—Yeas .....	54
Nays .....	55

On motion of Mr. Lewis of Nash,

The yeas and nays were ordered. The following are the names of all the members of the House present and voting in the affirmative, viz:

YEAS.—MESSRS. Bethea, Blanton, Cansler, Clarke, Cox of Jones, Crump, Dargan, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Harrell, Holmes, Jones, Leach, Leitch, Little, Love, Mabry, March, Martin, Matthews, McIntosh, Meares, Morrison, Mosely, Pearson, Pickett, Ramsour, Reeves, Richardson, Routh, Rumley, Rushing, Sharp, Siler, Southerland, Speer, Stewart, Stiles, Tate, Toms, Waddill,

Ward, White of Sampson, White of Cabarrus, White of Bladen, Whitson and Yancy.

The following members voted in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Benbury, Bledsoe, Bridgers, Bright, Bullock, Caldwell, Cotten, Cox of Perquimons, Dancy, Eborn, Ferebee, Gilliam, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Houck, Jarvis, Jenkins, Jennett, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mann, Masten, Montgomery, Moore, Outlaw, Parker, Patterson, Pitchford, Rand, Rankin, Sauls, Scales, Scott, Settle, Slaughter, Smallwood, Strayhorn, Stubbs, Thompson, Tomlinson, Waugh, Williamson, Wilson and Withers.

Mr. Glass paired off with Mr. Blow; and

Mr. Humphrey with Mr. Mason.

At 1 o'clock Mr. Outlaw moved the House adjourn, and the question thereon was put, and it was not adopted.

Yeas ..... 43

Nays ..... 68

On motion of Mr. Dargan,

The yeas and nays were ordered. The following are the names of all the members of the House present and voting in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Benbury, Bledsoe, Bridgers, Bright, Bullock, Caldwell, Cotten, Cox of Perquimons, Eborn, Ferebee, Gilliam, Hester, Hill of Halifax, Houck, Jarvis, Jennett, Johnston, Kelly, Lewis of Wake, Long, Lyon of Orange, Lyon of Granville, Montgomery, Moore, Outlaw, Parker, Patterson, Pitchford, Ramsour, Rand, Routh, Rumley, Sauls, Scales, Settle, Slaughter, Strayhorn, Stubbs, Tomlinson, Ward and Wilson.

The following voted in the negative:

NAYS.—Messrs. Bethea, Blanton, Cansler, Clarke, Cox of Jones, Crump, Dancy, Dargan, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Glass, Hackney, Hall, Hargrove, Harrell, Hill of Stokes, Holmes, Humphrey, Jenkins, Jones, Leach, Leitch, Lewis of Nash, Little, Long, Mabry, Mann, March, Martin, Masten, Matthews, McIntosh,

Meares, Morrison, Mosely, Pearson, Pickett, Rankin, Reeves, Richardson, Rushing, Scott, Sharp, Siler, Smallwood, Southerland, Speer, Stewart, Stiles, Tate, Thompson, Toms, Waddill, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson, Withers and Yancy.

And the House having refused to adjourn, Mr. Caldwell moved that the vote by which

H. 10, to aid in the construction of the Fayetteville and Western Railroad was rejected, be reconsidered, and the question was put thereon, and

Decided in the affirmative—Yeas .....	59
Nays .....	48

On motion of Mr. Parker,

The yeas and nays were ordered. The following are the names of those who voted in the affirmative, viz:

YEAS.—Messrs. Bethea, Blanton, Caldwell, Cansler, Clarke, Cox of Jones, Crump, Dargan, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Hackney, Harrell, Houck, Holmes, Jones, Leach, Leitch, Little, Love, Mabry, March, Martin, Matthews, McIntosh, Meares, Morrison, Mosely, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Scott, Sharp, Siler, Southerland, Speer, Stewart, Stiles, Tate, Toms, Waddill, Ward, White of Sampson, White of Cabarrus, White of Bladen, Whitson and Yancy.

The following voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Benbury, Bledsoe, Bridgers, Bullock, Cotten, Cox of Perquimons, Dancy, Eborn, Ferabee, Gilliam, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Jarvis, Jenkins, Jennett, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mann, Masten, Montgomery, Moore, Outlaw, Parker, Patterson, Pitchford, Rand, Sauls, Scales, Settle, Slaughter, Smallwood, Strayhorn, Stubbs, Thompson, Tomlinson, Waugh, Williamson, Wilson and Withers.

So the vote was reconsidered, and then it being the hour for the adjournment, the House adjourned.



MONDAY, 15<sup>TH</sup> DECEMBER, 1856.

Washington Harriss, Sheriff of Franklin, returned that in obedience to the writ of this House, dated 3d December, 1856, he had, after due notice, caused to be held at the various precincts of that county, on the 11th inst., an election to fill the vacancy caused by the death of Mr. Leonidas A. Jeffreys, and that upon comparing the polls and adding the number of votes upon the next day, it appeared that William F. Green, of said county, had been duly elected; thereupon,

The said William F. Green appeared, and being sworn, took a seat in the House; also,

Mr. John Baxter, a member from the county of Henderson, appeared, and being sworn, took a seat.

The Speaker announced the following committee on enrolled bills: Messrs. Pitchford, Hackney, Spear, Siler and Reeves.

The following messages were received from the Senate, viz: One agreeing to print the message of the Governor, with the reports of the Trustees of the University, and of the Directors of the Tau river improvement, and to inform the House of the passage of an engrossed resolution concerning the Cape Fear and Deep Rivers; also, of the bill (H. No. 4) to revive the charter of the Camden and Pasquotank Canal Company, with an amendment, which was concurred in; also, that Messrs. Dockery, Fennell and Person were the Senate branch of the committee on enrolled bills; agreeing also, to proceed at 12 o'clock this day to the election of a Comptroller; also, at 12 o'clock to-morrow, to the election of seven Councillors of State, and that Messrs. Wilder and Cherry would superintend the election on the part of the Senate.

On motion of Mr. Erwin,

S. R. 184, the joint resolution concerning the Cape Fear and Deep rivers, passed the second and third readings, and were ordered to be enrolled.

The following petition was introduced, read, and referred to propositions and grievances, viz:

By Mr. Mann; the petition of James W. Hinton and others, for a road and ferry in the county of Pasquotank.

The bill of the title following was reported upon as follows, viz:

H. 169, by Mr. Speer, from the committee on private bills; favorably.

Mr. Bullock introduced the following:

*Resolved*, That a message be sent to the Senate, proposing that this General Assembly adjourn *sine die* on the 8th January next; which being read, Mr. Badham moved the same lie upon the table; and the question thereon was put, and

Decided in the affirmative—Yeas .....	63
Nays .....	38

On motion of Mr. Bullock,

The yeas and nays were ordered. The following are the names of the members who voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bridgers, Bright, Caldwell, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Dills, Elliott, Erwin, Foster, Gentry, Glass, Green, Hackney, Hall, Hester, Hill of Halifax, Houck, Holmes, Jones, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Mabry, Mann, March, Martin, Masten, Moore, Ogburn, Pickett, Pitchford, Ramsour, Rankin, Rumley, Rushing, Sauls, Scales, Scott, Settle, Siler, Southerland, Speer, Speight, Stewart, Strayhorn, Tate, Thompson, Waugh, White of Sampson, White of Bladen and Withers.

The following voted in the negative, viz:

NAYS.—Messrs. Bullock, Dargan, Davidson, Eborn, Eller, Ferebee, Gaither, Hargrove, Hill of Stokes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Kelly, Leach, Leitch, Little, Matthews, McIntosh, Meares, Morrison, Mosely, Outlaw, Outerbridge, Parker, Reeves, Richardson, Routh, Slaughter, Smallwood, Stubbs, Toms, Waddill, White of Cabarrus, Whitson, Williamson and Wilson.

Bills and joint resolutions of the following titles were introduced, read, passed the first reading, referred or otherwise ordered as follows, viz:

From the Senate: a joint resolution (No. 184) to employ

Col. Walter Gwynn to survey and report upon the works on the Cape Fear and Deep rivers (see Ante page 128.)

By Mr. Sharpe: a joint resolution (No. 185) in favor of Concord Presbyterian College in Iredell. Referred to education.

By Mr. Parker: a bill (No. 186) to charter Chowan College, in Gates. To the same committee.

By Mr. Dargan: a bill (No. 187) to protect the remainder in slaves. To judiciary.

By Mr. Whitson: a bill (No. 188) to charter the town of Marion, in McDowell county. To private bills.

By Mr. Settle: a bill (No. 189) concerning escheats. To judiciary.

By Mr. Bethea: a bill (No. 190) to establish the superior court of Harnett county. To judiciary.

By Mr. Dargan: bill (No. 191) to charter the Salisbury and Eagle City Railroad Company. To internal improvements.

By Mr. Sharp: a bill (No. 192) to change the name of the town of New Institute. To private bills.

By the same: a bill (No. 193) to change the name of the school at New Institute. To education.

By Mr. Settle: a bill (No. 194) to amend the R. C., chapter 119, title Probate, s. 17, and afterwards withdrawn.

The House having proceeded with the unfinished business, viz:

H. 10, to aid the construction of the Western Railroad; the question recurring, Mr. Erwin moved the bill be laid upon the table; and it was adopted.

Bills of the following titles passed the third reading, and were ordered to be engrossed and sent to the Senate, viz:

H. 56, concerning the Common Schools of the State;

H. 96, to charter York Collegiate Institute;

H. 148, to charter the town of Rockingham.

On motion of Mr. Humphrey,

A message was sent to the Senate, proposing to proceed at 12 o'clock this day to the election of Comptroller; and the message was sent and concurred in, (See Ante p. 128) where-



upon Messrs. Humphrey and Elliott were appointed to superintend the same.

On motion of Mr. Settle,

A message was sent to the Senate, proposing at half past 11 o'clock to-morrow to proceed to the election of seven councillors of State; and this was also concurred in, (See Ante p. 128) and Messrs. Dancy and Stubbs appointed to superintend on the part of the House.

The House considered the amendment proposed by the Senate, to

No. 4 of the House, to revive and amend the charter of the Camden and Pasquotank Canal Company, as follows, viz: strike out of the last line of section "2," and insert the word "five;" and the same was adopted,

Yeas .....	78
Nays .....	26

On motion of Mr. Mann,

The yeas and nays were demanded. The following are the names and vote of all the members of the House voting in the affirmative, viz:

YEAS.—Messrs. Barnes, Baxter, Benbury, Bethea, Blanton, Bridgers, Bullock, Caldwell, Cox of Perquimons, Crump, Dargan, Davidson, Eborn, Eller, Elliott, Erwin, Ferebee, Folk, Foster, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Houck, Holmes, Humphrey, Jennett, Johnston, Kelly, Leach, Leitch, Lewis of Wake, Little, Love, Lyon of Orange, Mabry, March, Martin, Matthews, McIntosh, Moore, Morrison, Mosely, Outlaw, Outerbridge, Pearson, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Sharp, Siler, Slaughter, Smallwood, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Toms, Waddill, Ward, White of Sampson, White of Cabarrus, Whitson, Williamson and Wilson.

The following voted in the negative, viz:

NAYS.—Messrs. Badham, Bright, Cansler, Clarke, Dancy, Dills, Hester, Hill of Stokes, Jarvis, Jenkins, Jones, Lewis of Nash, Long, Mann, Masten, Meares, Parker, Pitchford, Scales,

Scott, Settle, Tomlinson, Waugh, White of Bladen, Withers and Yancy.

The bill of the title following was read the second time and disposed of as follows, viz :

H. 3, to repeal R. C., chapter 36, title Currency, ss. 5, 6, the pending question being the amendment of Mr. Ward to the amendment of Mr. Hill of Stokes, and it was put first upon the motion to strike out, and it was decided in the affirmative, and the question being upon the amendment, it was,

On motion of Mr. Erwin,  
laid upon the table.

It being the hour fixed for that purpose, the House proceeded to vote, *viva voce*, for Comptroller, with the following result. The following members voted for CURTIS H. BROGDEN, viz :

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Bridgers, Bright, Bullock, Clarke, Cotten, Cox of Jones, Dancy, Dills, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Masten, Matthews, Moore, Morrison, Mosely, Outerbridge, Parker, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rumley, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waugh, White of Sampson, White of Bladen, Whitson, Williamson, Withers and Yancy—69.

The following members voted for J. HARPER LINDSAY, viz :

Messrs. Baxter, Benbury, Caldwell, Cox of Perquimons, Crump, Dargan, Eborn, Eller, Elliott, Ferebee, Folk, Foster, Gaither, Houck, Jennett, Leach, Little, Mabry, Mann, March, Martin, Meares, Ogburn, Outlaw, Richardson, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Stubbs, Waddill, White of Cabarrus and Wilson—35.

Mr. Leitch voted for Mr. Hutchins, and Mr. McIntosh voted for Mr. Brooks.

Mr. Humphrey, from the joint committee, reported that

one hundred and forty-nine votes had been cast in the election, of which Mr. Brogden had received ninety-nine, Mr. Lindsay forty-seven, Mr. Brooks two, and Mr. Hutchins one, and that Mr. Brogden was duly elected. The House concurred.

The bill entitled as follows was read the second time, viz: H. 20, to charter the Exchange Bank in Newbern; and pending the question thereon, the hour for the adjournment arrived, and the House adjourned.

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TUESDAY, 16TH DECEMBER 1856.

The following petitions and memorials were introduced, read and referred as follows, viz:

By Mr. Jenkins: the memorial of William H. Bobbitt, of the county of Warren, for the remission of a tax. To judiciary.

By Mr. Whitson: the petition of Alberto Higgins and others, opposed to the division of McDowell county. To propositions and grievances.

Mr. Humphrey, from the committee on claims, reported unfavorably upon the memorial of William Peace.

On motion of Mr. Settle,

The hour for the election arriving, a message was sent to the Senate, informing that body that G. C. Marchant, D. G. W. Ward, N. M. Long, W. D. Bethell, A. A. McKay, John Walker, and C. M. Avery were nominated in this body for the office of Councillors of State.

On motion of Mr. Spear and others,

The following were also included: R. F. Armfield, Alfred Brower, Michael Holt, Roswell A. King, Wm. M. Pickett, Dennis D. Ferebee, Richard S. Donnell and Gilbert P. Routh.

Bills and joint resolutions of the following titles were introduced, read, passed the first reading, and were referred or otherwise ordered, as follows, viz:

By Mr. Stiles: a resolution (No. 195) in favor of William Beale, of Cherokee. To Cherokee lands.



By Mr. Routh: a bill (No. 196) to raise the per diem of the General Assembly. Table.

By Mr. Badham: a bill (No. 197) to charter the Albemarle and Suffolk Railroad Company. Printed and table.

By Mr. Sharp: a bill (No. 198) to repeal the R. C., chapter 99, title Revenue, s. 30. To finance.

By Mr. Blanton: a bill (No. 199) for the relief of Thomas Wilson, of Cleveland.

By Mr. Yancey: a bill (No. 200) to amend the charter of the Sulphur Springs and Paint Rock Turnpike Company. Table.

By Mr. Cox of Perquimons: a bill (No. 201) to improve Yadkin river in that county. To propositions and grievances.

The House proceeded with the unfinished business, being H. 20, to charter the Exchange Bank in New-Berne, and the question recurring, was

On motion of Mr. Badham,

Laid upon the table.

H. 2, to charter the People's Bank; was by special order considered, and the hour for the adjournment arriving, the House adjourned.

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WEDNESDAY 17<sup>TH</sup> DECEMBER, 1856.

The following bills, etc., were reported upon as follows, viz:

H. 16, by Mr. Stubbs, from the committee on the judiciary, a substitute, favorably.

H. 37, by Mr. Leach, from the same committee, unfavorably.

H. 53, by Mr. Dargan, from the same, unfavorably; and S. 92, favorably.

H. R. 151, by Mr. Humphrey, from the committee on propositions and grievances, favorably; also

H. 152, favorably.

H. 156, by Mr. Leach, from judiciary, unfavorably.

H. R. 163, by Mr. Hargrove, from propositions and grievances, favorably ; also

H. R. 164, favorably ;

H. 168, favorably ;

H. 170, unfavorably ;

H. 173, unfavorably, and recommending an amendment to

H. 179.

The resolutions of Mr. Scott concerning public executions, and Mr. Settle concerning insolvent debtors, were reported by Mr. Stubbs from the judiciary, unfavorably.

The following bills, etc., were introduced, read, passed the first reading, and referred or disposed of as follows, viz :

By Mr. Reeves : a joint resolution (No. 202) concerning the Mexican Preamble.

By Mr. Stiles : a joint resolution (No. 203) in favor of certain purchasers of Cherokee lands.

By Mr. Lewis of Wake : a bill (No. 204) to charter the Oak City Guards.

By Mr. Slaughter : a bill (No. 205) for the benefit of certain females. To the judiciary.

By Mr. Jarvis : a bill (No. 206) to charter the Currituck Hotel Company.

By Mr. Mann : a bill (No. 207) to establish a free ferry and road in Pasquotank county. To propositions and grievances.

By Mr. McIntosh : a bill (No. 208) concerning the common school fund in Alexander county. To education.

By Mr. Routh : a bill (No. 209) for the improvement of Salt river. Laid upon the table.

By Mr. Jarvis : a resolution (No. 210) in favor of P. H. Dozier of Currituck. To finance.

By Mr. Kelly : a bill (No. 211) to amend the R. C., chapter 34, title Crimes and Punishments, s. 2. To judiciary.

Mr. Dancy from the joint committee to superintend the election of councillors of State, reported that one hundred and sixty votes had been given, of which eighty-one were necessary to a choice, and that Messrs. McKay, Bethell, Walker and Avery had each received 110 votes, Mr. Long 109 votes, Messrs. Marchant and Ward, each 108, Mr. Pick-

ett 48 votes, Mr. Donnell 46, Mr. Holt 45, Mr. Ferebee 44, Messrs. Armfield and Brown, each 42, Mr. King 34, Mr. Routh 8, Messrs. Rankin and Little, each 3, Mr. Jackson 2, and Messrs. Barringer, Cameron, Childs, Christian, Gibson, Harriss, Hume, Kerr, Leach, Leitch, Lilly, Little, Mann, Martin, Osborne, Pemberton, Reeves, Richardson, Scales, Settle and Suttle, each 1, and that the seven first named had been duly elected. The House concurred.

The House proceeded to consider a resolution introduced by Mr. Lewis of Wake, of which notice was given on yesterday, as follows, viz:

*Resolved*, That hereafter when a motion to reconsider any bill or resolution is laid upon the table, or when a bill or resolution is reconsidered and not acted upon immediately, but laid upon the table, in either case it shall require two-thirds of the members present to take from the table said notice, bill or resolution.

And the question being thereon, Mr. Baxter moved to lay the same upon the table, and it was put and

Decided in the affirmative—Yeas .....	58
Nays .....	54

On motion of Mr. Settle,

The yeas and nays were ordered. The following are the names of the members voting in the affirmative, viz:

YEAS.—Messrs. Baxter, Bethea, Blanton, Caldwell, Cansler, Clark, Crump, Dargan, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Glass, Harrell, Houck, Holmes, Humphrey, Jenkins, Jones, Leach, Leitch, Love, Mabry, Mann, March, Martin, Matthews, McIntosh, Meares, Morrison, Ogburn, Pearson, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Scott, Sharp, Siler, Sutherland, Speer, Stewart, Stiles, Toms, Waddill, White of Sampson, White of Cabarrus, White of Bladen, Whitson and Williamson.

The following members voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Benbury, Bledsoe, Bridgers, Bright, Bynum, Bullock, Cotten, Cox of Perquimons, Dancy, Eborn, Ferebee, Green, Hackney, Hargrove, Hester,



Hill of Stokes, Hill of Halifax, Jarvis, Jennett, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Orange, Mason, Masten, Montgomery, Moore, Mosely, Outlaw, Outerbridge, Parker. Patterson, Pickett, Pitchford, Rand, Sauls, Scales, Settle, Slaughter, Smallwood, Speight, Strayhorn, Stubbs, Tate, Tomlinson, Ward, Waugh, Wilson and Withers.

On motion of Mr. Clarke,

The committee on finance was directed to enquire and report upon the propriety of imposing a tax upon certain suits at law, clocks, jennies, ardent spirits, tanneries, woolen cloth, cotton and iron.

The House resumed the consideration of

H. 2, to charter the People's Bank, and the question recurred, pending which the hour for the adjournment arrived and was postponed, and then, the question still pending,

On motion of Mr. Outlaw,

At 2 o'clock and 34m. the House adjourned.

#### THURSDAY, 18TH DECEMBER, 1856.

A message from the Governor transmitted the Report of the President and Directors of the Board of Internal Improvements. Ordered to be sent to the Senate with a proposition to print.

The Senate transmitted the Report of the Public Treasurer upon the Resources and Liabilities of the State, also the Report of, and a Memorial from the Joint Committee upon Cherokee Lands. Ordered to be printed.

The Speaker submitted the Report of the President and Directors of the N. C. and Atlantic Railroad Company. Ordered to be sent to the Senate with a proposition to print.

On motion of Mr. Settle,

A message was sent to the Senate proposing to raise a joint committee to wait upon Thomas Bragg, esq., and inform him of his election to the office of Governor of the State, and ascertain from him when it will suit his convenience to appear before the two Houses and take the oaths of office; and,

On motion of Mr. Humphrey,

Proposing a joint-select committee of arrangement for the inauguration aforesaid.

The following bills, etc., were reported upon as follows, viz :

H. 116, by Mr. Hill of H., from the committee on corporations and the currency, with an amendment, and favorably ; also

H. 136, with amendments and favorably ;

H. 188, by Mr. Waugh, from the committee on private bills, with a substitute, favorably ; also

H. 192, favorably ;

H. 193, by Mr. Little, from the same, favorably.

The Speaker signed the following enrolled bills, reported from the committee upon that subject as truly enrolled, viz :

H. 4, to revive the charter of the Camden and Pasquotank New Cut Canal Company ;

H. R. 65, in favor of Martha Spears ;

H. R. 66, in favor of Sarah Avery ;

H. R. 121, in favor of Wm. M. Rhea ;

S. R. 184, concerning the C. F. and Deep river.

Bills and joint resolutions of the following titles were introduced, read the first time, passed and referred or filed as follows, viz :

From the Senate : an engrossed bill (No. 212) to abolish jury trials in Polk.

From the Senate : an engrossed bill (No. 213) to charter the town of Thomasville.

From the Senate : an engrossed bill (No. 214) to amend the charter of the Western Plankroad Company.

From the Senate : an engrossed bill (No. 215) to amend the charter of the Charlotte and Taylorsville Plankroad Company.

From the Senate : an engrossed resolution (No. 216) in favor of a naval depot at Beaufort Harbor.

By Mr. Outerbridge : a resolution (No. 217) in favor of W. W. Ward. To claims.

By Mr. Siler: a resolution (No. 218) in favor of West Truitt. To propositions and grievances.

By Mr. Rankin: a bill (No. 219) to regulate the appointment of justices of the peace. To propositions and grievances.

By Mr. Hall: a bill (No. 220) to amend the charter of the town of Salisbury. To corporations and currency.

By Mr. Bledsoe: a bill (No. 221) to amend the R. C., chapter 102, title Salaries and Fees, s. 3. To the judiciary.

By Mr. Jennett: a bill (No. 222) concerning certain pilots. To judiciary.

By Mr. Sharp: a bill (No. 223) to amend R. C., chapter 31, Courts, County and Superior, s. 71. To judiciary.

By Mr. Folk: a bill (No. 224) to attach part of Caldwell to Watauga county. To propositions and grievances.

By Mr. Thompson: a bill (No. 225) to amend the charter of the Atlantic and N. C. Railroad Company. To internal improvements.

By Mr. Dancy: a bill (No. 226) to amend the charter of the town of Wilson. To propositions and grievances.

By Mr. Kelly: a bill (No. 227) to consolidate the school districts in New-Berne. To education.

From the Senate: an engrossed bill (No. 228) to amend an act concerning Harnett county.

From the Senate: an engrossed (bill No. 229) to charter Trent River and Tuckahoe Navigation Company.

And the House resumed the unfinished business,

H. 2, to charter the Peoples' Bank; the question being, shall this bill pass the second reading? when Mr. Dargan offered an amendment which was adopted, and Mr. Baxter an amendment which was adopted, and Mr. Scott an amendment which was adopted; and the question recurred, and Mr. Outlaw moved the House adjourn; and the yeas and nays being ordered thereon, the clerk proceeded to call the roll, and had called the names of seventy-six members, when the hour for the adjournment arrived and the House adjourned.



FRIDAY, 19TH DECEMBER, 1856.

The Speaker announced the following committee to wait upon the Governor elect: Messrs. Green and Little.

Committee of arrangements for the inauguration: Messrs. Humphrey, Ferebee, Whitson, Martin and Mason.

A message from the Governor, by Pulaski Cowper, Esq., Private Secretary, transmitted the report of the literary board. Ordered to be sent to the Senate, with a proposition to print.

A message from the Senate, announced the appointment of Mr. Mills to the committee to wait upon the Governor elect; and Messrs. Clark, Wilder and Pool to the committee of arrangements.

The following bills, etc., were reported upon as follows, viz:

H. 51, by Mr. Dargan, from the committee on the judiciary, unfavorably;

H. 57, by Mr. Little, from the committee upon constitution reform, favorably;

H. 94, by Mr. Erwin, from internal improvements, with amendments, and favorably;

H. 147, by Mr. Thompson, from judiciary, unfavorably;

H. 155, by Mr. Hill of Halifax, from corporations and currency, favorably;

H. 165, by Mr. Thompson, from judiciary, favorably;

H. 172, by Mr. Dargan, from same, unfavorably;

H. 177, by Mr. Hill of Halifax, from corporations and currency, unfavorably;

H. 178, by Mr. Stubbs, from judiciary, favorably;

H. 186, by Mr. Scales, from education, with amendments;

H. 187, by Mr. Lewis of Wake, from judiciary, favorably;

H. 189, by Mr. Dargan, from same committee, favorably;

H. 205, by Mr. Lewis of Wake, from same, unfavorably;

H. 211, by Mr. Dargan, from same, unfavorably;

Also, by Mr. Lewis of Wake, from the same committee, the memorial of Lewis Bayley and others, unfavorably; also,

By Mr. Lewis of Wake, from the committee on the insane

asylum, a written report and two bills, see post., nos, 231 and 232.

On motion of Mr. Lewis of Wake,

The use of the Hall was granted the Oak City Guards on Saturday night next from 7 o'clock.

On motion of Mr. Baxter,

The use of the Hall was granted the Rev. George Copway, for a lecture upon the Indians of the West, to-night.

Bills and joint resolutions of the titles following were introduced, read and passed the first reading, and referred or were filed for the second reading as follows, viz :

By Mr. Scales: a bill (No. 230) to reduce the penalty on school committees ;

By Mr. Lewis of Wake: a bill (No. 231) to amend the R. C., chapter 6, title Asylum ;

By Mr. Lewis of Wake: a bill (No. 232) for the relief of the insane asylum, and, the rule being suspended, this bill also passed the second reading ;

By Mr. Scales: a resolution (No. 233) concerning Hawk's History ;

By Mr. Hargrove: a bill (No. 234) concerning the county court of Granville. To the judiciary.

By Mr. Scott: a bill (No. 235) to extend the jurisdiction of three justices of the peace. To judiciary.

By Mr. Gentry: a bill (No. 236) to prohibit the felling of timber in Cranbury creek, in the county of Ashe ;

By Mr. Clarke: a bill (No. 237) to charter Davenport Female College, in Caldwell. To education.

By Mr. Mosely: a bill (No. 238) to amend the charter of Clinton, in Sampson county. To private bills.

Mr. Lewis of Wake moved that

II. 232, to provide for the insane asylum, be read the third time and pass the third reading, and the question being thereon, Mr. Erwin moved it be laid upon the table, and the question thereon was put, and

Decided in the affirmative—Yeas ..... 65

Nays ..... 47

On motion of Mr. Mann,

The yeas and nays were ordered. The following are the names of the members voting in the affirmative, viz :

YEAS.—Messrs. Barnes, Bethea, Bridgers, Bright, Bynum, Cansler, Clark, Cotten, Cox of Jones, Davidson, Dills, Eborn, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Glass, Green, Hackney, Hargrove, Hill of Halifax, Houck, Jones, Kelly, Leitch, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, McIntosh, Meares, Montgomery, Moore, Morrison, Ogburn, Outerbridge, Patterson, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Rumley, Rushing, Sauls, Scott, Sharp, Southerland, Speer, Stewart, Strayhorn, Thompson, Tomlinson, Toms, Waddill, Ward, Whitson, Williamson, Withers and Yancy.

The following members voted in the negative, viz :

NAYS.—Messrs. Baxter, Blanton, Bledsoe, Blow, Caldwell, Crump, Dancy, Dargan, Eller, Ferebee, Gilliam, Hall, Harrell, Hester, Hill of Stokes, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Leach, Lewis of Wake, Mabry, Mann, March, Martin, Mason, Masten, Matthews, Mosely, Parker, Pitchford, Ránd, Routh, Scales, Settle, Siler, Slaughter, Smallwood, Speight, Stiles, Stubbs, Tate, Waugh, White of Sampson, White of Cabarrus and White of Bladen.

Mr. Jenkins offered the following, of which notice was given yesterday, viz :

“*Resolved*, That the hour for the close of the morning session be rescinded;” and it was adopted.

And the House resumed the consideration of

H. 2, to charter the People’s Bank; the question being, shall the bill pass the second reading. Mr. Lewis of Wake moved to strike out the title of the bill and insert a substitute. The Speaker decided it was not competent to amend the title of a bill before it has passed the second reading. Mr. Baxter moved to amend, and it was adopted; and the question recurred. Mr. Leach moved the House take a recess until half-past 6 o’clock, and it was not adopted.

Yeas ..... 52

Nays ..... 58

On motion of Mr. Scott,



The yeas and nays were ordered. The following are the names of those who voted in the affirmative :

YEAS.—Messrs. Baxter, Bethea, Blow, Bynum, Caldwell, Clarke, Cotten, Cox of Perquimons, Crump, Dancy, Dargan, Eborn, Elliott, Erwin, Ferebee, Foster, Gentry, Gilliam, Glass, Hackney, Houck, Humphrey, Jennett, Kelly, Leach, Leitch, Love, Mabry, Mann, March, Martin, McIntosh, Meares, Moore, Outlaw, Pitchford, Ramsour, Reeves, Richardson, Routh, Rumley, Sharp, Siler, Slaughter, Smallwood, Speer, Stiles, Stubbs, Waddill, Ward, White of Cabarrus and Whitson.

The following voted in the negative, viz :

NAYS.—Messrs. Barnes, Blanton, Bridgers, Bright, Cansler, Cox of Jones, Davidson, Dills, Eller, Gaither, Green, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Jarvis, Jenkins, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Morrison, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pickett, Rand, Rankin, Rushing, Sauls, Scales, Scott, Settle, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waugh, White of Sampson, Williamson, Withers and Yaney.

At 2 o'clock and 45m., Mr. Blow moved the House adjourn until to-morrow, and it was

Decided in the affirmative—Yeas .....	67
Nays .....	45

On motion of Mr. Hill of Halifax,

The yeas and nays were ordered. The following are the names of all who voted in the affirmative :

YEAS.—Messrs. Baxter, Bethea, Blow, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Dancy, Dargan, Eborn, Eller, Elliott, Erwin, Ferebee, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Hackney, Harrell, Hester, Houck, Humphrey, Jennett, Kelly, Leach, Leitch, Lewis of Wake, Love, Mabry, Mann, March, Martin, Matthews, McIntosh, Meares, Moore, Morrison, Mosely, Ogburn, Outlaw, Pitchford, Ramsour, Rand, Reeves, Richardson, Routh, Rumley, Scott, Sharp, Siler, Slaughter, Smallwood, Speer, Stewart, Stubbs,

Tomlinson, Waddill, Ward, White of Cabarrus, Whitson, Williamson and Yancy.

The following voted in the negative, viz :

NAYS.—Messrs. Barnes, Blanton, Bledsoe, Bridgers, Bright, Cox of Jones, Crump, Davidson, Dills, Green, Hall, Hargrove, Hill of Stokes, Hill of Halifax, Holmes, Jarvis, Jenkins, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Montgomery, Outerbridge, Parker, Patterson, Pearson, Pickett, Rankin, Rushing, Sauls, Scales, Settle, Sutherland, Speight, Stiles, Strayhorn, Tate, Thompson, Toms, Waugh, White of Sampson and Withers.

And thereupon the House adjourned.

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SATURDAY, 20<sup>TH</sup> DECEMBER, 1856.

The House having been informed by messages of the passage in the Senate of the House bills Nos. 22 and 77, with amendments, concurred therein ; as also, in a proposition of the Senate to proceed at 12 o'clock on Monday to the election of a Public Treasurer.

The following resolutions were introduced, read and disposed of as follows, viz :

By Mr. Davidson : “ *Resolved*, That a message be sent to the Senate proposing that when the two Houses adjourn on Tuesday evening next, they adjourn to meet on Monday, the 29th : *Provided*, That if any of the members prefer to remain in Raleigh they shall be entitled to their per diem.” Whereupon, the same was,

On motion of Mr. Baxter,

Laid on the table.

By Mr. Crump : “ *Resolved*, That the House re-establish the hour for adjournment at half-past 1, P. M.” Whereupon, the same was,

On motion of Mr. Scales,

Laid upon the table.

By Mr. Gilliam : “ *Resolved*, That the fifth rule of order for the government of this House be amended by striking out

in the fifth line the words "and adjournment," and inserting "four days." Laid over, under the rule.

Mr. Outlaw presented the memorial of John Webb and others, to extend the lay day for fishing on Salmon River, in the county of Bertie. Referred to the committee on propositions and grievances.

On motion of Mr. Withers,

The House considered his resolution of which notice was yesterday given, and the same being modified, was adopted, as follows, viz:

"*Resolved*, That no final action be taken upon any bills of a public nature from and after Wednesday next until the first January."

The following bills, etc., were reported upon as follows, viz:

H. 114, by Mr. Bridgers, judiciary, unfavorably;

H. 131, by Mr. Erwin, internal improvements, favorably;  
also,

H. 166, favorably; and

H. 171, favorably;

H. 174, by Mr. Bridgers, judiciary, unfavorably;

H. 191, by Mr. Erwin, internal improvements, favorably;  
and

H. 225, unfavorably; also,

The Memorial of R. M. Saunders and others, unfavorably, and recommending their further reference to the committee on finance.

The following references were ordered, viz:

H. R. 79, to the committee upon claims.

H. R. 160, to the same.

H. R. 217, recommitted to the same.

The memorial of William Peace was recommitted to the same.

The memorial of R. M. Saunders and others, to finance.

The following members had leave of absence until the first of January, viz: Messrs. Cox of J., Erwin, Hill of Stokes, Kelly, Little, Matthews, Pickett, Southerland, Waddill, Ward, and White of Cabarrus.

A message from the Senate, transmitting the report of the



joint committee to wait upon Thomas Bragg, Esq.; that he would take the oaths of office on the first January.

The following bills and joint resolutions were introduced, read, passed the first reading, and were ordered for the second reading, referred, or otherwise disposed of as follows, viz:

By Mr. Hargrove: a resolution (No. 239) in favor of William H. Gilliam. To claims.

By Mr. Rand: a bill (No. 240) to revise and consolidate the charter of Raleigh. To corporations and currency.

By Mr. Speer: a bill (No. 241) to charter the Yadkin County Mining Company. To corporations and currency.

By Mr. Davidson: a bill (No. 242) to amend the R. C., chapter 101, title Roads, etc. To propositions and grievances.

By Mr. Mann: a bill (No. 243) to improve Pasquotank river. To internal improvements.

By Mr. Mason: a bill (No. 244) to charter the Garysburg and Windsor Railroad Company. To internal improvements.

And the following from the Senate, viz:

S. 245, a supplemental bill to S. 73, to amend the Constitution; whereupon, the rule being suspended, this bill also passed the second and third readings and was ordered to be enrolled.

S. 246, to amend the charter of the Okonalufta and Qualla Town Turnpike Company.

S. 247, to charter the Wilmington Savings Bank.

S. 248, to amend charter of the Tuckasege and Cheoih Turnpike Company.

S. 249, to amend charter of the Tuckasege and Nantahala Turnpike Company.

S. 250, in favor of the clerks of Craven county court.

The House having resumed the unfinished business,

H. 2, to charter the People's Bank, the question thereon recurred, when Mr. Outlaw moved the same be indefinitely postponed, and the question thereon was put and it was not adopted.

Yeas ..... 52

Nays ..... 64

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following are the names of those who voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cotten, Cox of Jones, Dancy, Davidson, Glass, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Montgomery, Moore, Outlaw, Outerbridge, Parker, Patterson, Pearson, Rand, Rushing, Sauls, Scales, Settle, Slaughter, Smallwood, Southerland, Speight, Tate, Thompson, White of Sampson, Williamson and Withers.

The following voted in the negative, viz :

NAYS.—Messrs. Baxter, Benbury, Bethea, Blanton, Caldwell, Cansler, Clark, Cox of Perquimons, Crump, Dargan, Dills, Eborn, Eller, Elliott, Erwin, Ferebee, Folk, Foster, Gaither, Gentry, Gilliam, Harrell, Houck, Jennett, Kelly, Leach, Leitch, Little, Love, Mabry, Mann, March, Martin, Matthews, McIntosh, Meares, Morrison, Mosely, Ogburn, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Scott, Sharp, Siler, Speer, Stewart, Stiles, Strayhorn, Stubbs, Tomlinson, Toms, Waddill, Ward, Waugh, White of Cabarrus, White of Bladen, Whitson and Yancy.

The question then recurred upon the passage of the bill the second reading, and was put, and

Decided in the affirmative—Yeas .....	59
Nays .....	57

On motion of Mr. Scott,

The yeas and nays were ordered. The following are the names of those who voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Benbury, Bethea, Blanton, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Dargan, Dills, Eborn, Eller, Elliott, Erwin, Ferebee, Folk, Foster, Gaither, Gilliam, Hall, Harrell, Houck, Jennett, Kelly, Leach, Leitch, Love, Mabry, Mann, March, Martin, Matthews, McIntosh, Meares, Morrison, Mosely, Ogburn, Pickett, Pitchford, Ramsour, Rankin, Richardson, Routh, Rumley, Scott, Sharp, Siler, Speer, Stewart, Stiles, Stubbs, Tomlinson, Toms, Waddill, Ward, White of Cabarrus, Whitson and Yancy.

And the following voted in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cotten, Cox of Jones, Dancy, Davidson, Gentry, Glass, Green, Hackney, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Montgomery, Moore, Outlaw, Outerbridge, Parker, Patterson, Pearson, Rand, Reeves, Rushing, Sauls, Scales, Settle, Slaughter, Smallwood, Southerland, Speight, Strayhorn, Tate, Thompson, Waugh, White of Sampson, White of Bladen, Williamson and Withers.

So the bill passed the second reading, and then

On motion of Mr. Baxter,

Was referred to a select committee of five members consisting of Messrs. Baxter, Bledsoe, Stubbs, Leach and Green.

The bill entitled as follows then passed the second reading, viz :

H. 175, to emancipate William, a slave, as follows :

Yeas .....	59
Nays .....	41

On motion of Mr. Benbury,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Bethea, Blanton, Caldwell, Clarke, Cox of Perquimons, Crump, Dargan, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Hall, Harrell, Houck, Jennett, Leach, Leitch, Love, Mabry, Mann, March, Martin, Matthews, McIntosh, Morrison, Ogburn, Outlaw, Patterson, Pickett, Ramsour, Reeves, Routh, Rumley, Sauls, Settle, Sharp, Siler, Slaughter, Speer, Stewart, Stiles, Stubbs, Toms, Waddill, Waugh, White of Cabarrus, White of Bladen, Whitson, Williamson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Benbury, Bledsoe, Bridgers, Bright, Bynum, Bullock, Cansler, Dancy, Ferebee, Green, Hargrove, Hester, Holmes, Humphrey, Jarvis, Jenkins, Lewis of Nash, Little, Long, Lyon of Granville, Masten,



Meares, Montgomery, Moore, Mosely, Outerbridge, Parker, Pitchford, Rand, Rankin, Scales, Scott, Smallwood, Speight, Strayhorn, Thompson, Tomlinson, White of Sampson, and Withers.

So the bill passed the second reading, and the question being, shall this bill pass the third reading. Mr. Humphrey moved to amend as follows: "Provided that said William shall not reside in North Carolina for more than twelve months from and after the passage of this bill;" and the question thereon was put, and it was not adopted; the question recurring, Mr. Hill of Stokes moved the House adjourn, and it was put and not adopted.

Yeas ..... 38  
Nays ..... 61

On motion of Mr. Lewis of Wake,

The yeas and nays were ordered. The following members voted in the affirmative :

YEAS.—Messrs. Barnes, Benbury, Bledsoe, Bynum, Bullock, Dancy, Ferebee, Green, Hargrove, Hester, Hill of Stokes, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Lewis of Nash, Little, Long, Lyon of Granville, Masten, Montgomery, Moore, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Scales, Scott, Thompson, Tomlinson, Waugh, White of Sampson and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Baxter, Bethea, Blanton, Caldwell, Cansler, Clarke, Cox of Perquimons, Dargan, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Hall, Harrell, Hill of Halifax, Houck, Kelly, Leach, Leitch, Lewis of Wake, Love, Mabry, Mann, March, Martin, Mason, Matthews, McIntosh, Morrison, Mosely, Ogburn, Outlaw, Pickett, Reeves, Routh, Rumley, Settle, Sharp, Siler, Slaughter, Smallwood, Speer, Stewart, Stiles, Stubbs, Toms, Waddill, White of Cabarrus, White of Bladen, Whitson, Williamson and Yancy.

And the question again recurring, Mr. Montgomery moved to amend, by adding "provided that said William shall re-

main in the county of Rowan ;” and it was decided in the negative ; and the question recurred and was put, and

Decided in the affirmative—Yeas ..... 67  
Nays ..... 38

On motion of Mr. Parker,

The yeas and nays were ordered. The following voted in the affirmative, viz ;

YEAS.—Messrs. Baxter, Bethea, Blanton, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Dargan, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Hall, Harrell, Houck, Jennett, Jones, Kelly, Leach, Leitch, Long, Love, Mabry, Mann, March, Martin, Masten, Matthews, McIntosh, Morrison, Ogburn, Outlaw, Patterson, Pickett, Ramsour, Reeves, Routh, Rumley, Sauls, Settle, Sharp, Siler, Slaughter, Smallwood, Southerland, Speer, Stewart, Stiles, Stubbs, Toms, Waddill, Ward, Waugh, White of Cabarrus, White of Bladen, Whitson, Williamson and Yancy.

The following voted in the negative, viz.

Messrs. Badham, Barnes, Benbury, Bledsoe, Bridgers, Bynum, Bullock, Dancy, Ferebee, Green, Hargrove, Hester, Hill of Stokes, Holmes, Humphrey, Jarvis, Jenkins, Jewis of Nash, Little, Lyon of Granville, Mason, Meares, Montgomery, Moore, Mosely, Outerbridge, Parker, Pitchford, Rand, Rankin, Scales, Scott, Speight, Strayhorn, Thompson, Tomlinson, White of Samson and Withers.

So the bill passed the third reading, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Lewis of Wake,

The House resumed the consideration of

No. 332, for the relief of the insane, the question pending being, shall the bill pass the third reading, Mr. Reeves moved to amend by striking out “thirty-five” and inserting “nineteen” thousand, and it was not adopted ; the question then recurred, and was put and

Decided in the affirmative—Yeas ..... 67  
Nays ..... 24

On motion of Mr. Davidson,

The yeas and nays were ordered. The following are the names of those who voted in the affirmative, viz :

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Bledsoe, Blow, Bynum, Bullock, Caldwell, Cansler, Dargan, Elliott, Ferebee, Foster, Glass, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jones, Leach, Leitch, Lewis of Wake, Little, Long, Love, Lyon of Orange, Mann, Martin, Mason, Masten, Matthews, Meares, Montgomery, Moore, Morrison, Ogburn, Parker, Patterson, Pickett, Pitchford, Rand, Rankin, Routh, Sauls, Scales, Scott, Settle, Siler, Slaughter, Smallwood, Speight, Stewart, Stiles, Strayhorn, Stubbs, Thompson, Waugh and Withers.

The following voted in the negative, viz :

NAYS.—Messrs. Barnes, Blanton, Clark, Davidson, Dills, Eller, Erwin, Folk, Gaither, Gentry, Harrell, Leach, Lewis of Nash, Mabry, McIntosh, Ramsour, Reeves, Richardson, Speer, Tomlinson, Toms, Whitson, Williamson and Yancy.

And then,

On motion of Mr. Mann,

And at 2 o'clock and 20m., the House adjourned.

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MONDAY, 22D DECEMBER, 1856.

The Speaker announced the following committee on enrolled bills, viz: Messrs. Green, Ferebee, Masten, Pearson and Folk, and submitted to the House the memorial of Daniel McNatt and others, and the memorial of D. M. Buie and others, concerning the dividing line between Robeson and Cumberland counties, which being read were referred to the committee on propositions and grievances.

Mr. Reeves introduced the following, viz :

“*Resolved*, That a message be sent to the Senate proposing to proceed to the election of five trustees for the University, immediately after the election of the Public Treasurer;” whereupon, Mr. Jenkins moved to lay the same upon the table, and the question was put, and no quorum voting, Mr.



Montgomery moved there be a call of the House, and it was adopted, when, before any proceedings were had, the quorum appeared, and Mr. Jenkins' motion was adopted.

On motion of Mr. Gilliam,

The resolution introduced by him yesterday, was read and adopted.

The following members of the House had leave of absence respectively as follows, viz :

Mr. Foster seven days ;

Mr. Cox of P., until the first of January ;

Mr. Long to the first of January from Wednesday ;

Mr. Cansler the same ;

Mr. Withers from Friday till the first of January ;

Mr. Elliott from Wednesday until Sunday ; and then,

On motion of Mr. Outlaw,

A general leave of absence was extended to all the members of the House, who chose to accept it, from and after this day until the first of January.

The following bills, etc., were reported upon and ordered as follows, viz :

H. 125, by Mr. Scales, finance, favorably ;

H. 172, recommitted to judiciary ;

H. 94, recommitted to internal improvements.

By messages from the Senate, the House were informed that their committee on enrolled bills, consisted of Messrs. Coleman and Jackson ; also, of the appointment of Messrs. Speight and Wiggins to superintend the election of Public Treasurer.

Bills and joint resolutions of the following titles were introduced, read, passed the first reading, filed for the second, referred or otherwise disposed of as follows, viz :

By Mr. Toms : a bill (No. 251) in favor of William Davenport. Referred to private bills.

By Mr. Badham : a bill (No. 252) to repeal the R. C., chapter 44, title Evidence, s. 44. To the judiciary.

By Mr. Speer : a bill (No. 253) to charter the town of Yadkinville.

By Mr. Pickett : a bill (No. 254) to extend the powers of

the county court of Duplin. To propositions and grievances

By Mr. Ferebee: a bill (No. 255) to prevent the felling of trees in certain cases. To judiciary.

By Mr. Love: a bill (No. 256) to charter the town of Waynesville.

By Mr. Baxter: a bill (No. 257) to amend the charter of the Little River Turnpike Company.

By Mr. Montgomery: a bill (No. 258) to amend the R. C. chapter 23, title Comptroller, s. 9. To judiciary.

By Mr. Humphrey: a resolution (No. 259) in favor of Jas. M. Lovejoy. To claims.

The bills, etc., on the second reading, respectively entitled as follows, passed the second reading, or were otherwise disposed of, viz:

II. 40, to repeal R. C., chapter 70, title Militia, s. 1, did not pass the second reading, but was indefinitely postponed.

II. 61, to authorise the county court of Duplin to sell the town commons of Sarecta, did not pass the second reading, but was rejected.

II. 70, to amend R. C., chapter 99, title Revenue, s. 78.

II. 78, concerning mortgages and deeds of trust.

H. 94, to extend the powers of the Roanoke Valley Railroad. Recommended.

H. R. 162, concerning capitol square, the question being first put upon the amendments proposed by the committee, they were not agreed to; and the question recurring, the resolution passed the second reading. Mr. Humphrey moved the rules be suspended, and the resolution read the third time, and it was so ordered; then the question was put as follows: Shall this resolution pass the third reading? and it was

Decided in the affirmative—Yeas ..... 54

Nays ..... 44

On motion of Mr. Waugh,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Blanton, Bledsoe, Blow, Bright, Bullock, Crump, Dancy, Dargan, Davidson, Elliott, Ferebee, Gentry, Gilliam, Glass, Green, Hall,

Hargrove, Holmes, Humphrey, Jenkins, Lewis of Wake, Long, Love, Mann, Martin, Mason, Montgomery, Morrison, Outlaw, Parker, Patterson, Pickett, Pitchford, Ramsour, Rand, Rumley, Rushing, Sauls, Scales, Settle, Siler, Slaughter, Smallwood, Speight, Stiles, Tate, White of Sampson, White of Bladen, Whitson, and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Bynum, Caldwell, Cansler, Clarke, Cotten, Dills, Eborn, Eller, Folk, Gaither, Hackney, Harrell, Hester, Houck, Jarvis, Jennett, Leitch, Lewis of Wake, Lyon of Orange, Lyon of Granville, Mabry, March, Masten, McIntosh, Ogburn, Pearson, Rankin, Reeves, Richardson, Routh, Scott, Speer, Stewart, Strayhorn, Stubbs, Thompson, Tomlinson, Toms, Waugh, Williamson and Yancy.

So the bill passed the third reading, and was ordered to be engrossed and sent to the Senate.

The bill entitled as follows passed the second and third readings, and was ordered to be engrossed and sent to the Senate, viz :

H. 179, concerning justices of the peace, as amended by the committee on propositions and grievances.

And the following was ordered to be enrolled, viz :

S. 247, to amend the charter of the Savings Bank in Wilmington.

The House having proceeded to vote *viva voce* for a Public Treasurer, the following members voted for DANIEL W. COURTS, viz :

Mr. Speaker, Messrs. Badham, Barnes, Baxter, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clark, Cotten, Dancy, Dargan, Davidson, Dills, Eller, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Houck, Holmes, Humphrey, Jarvis, Jenkins, Leitch, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Martin, Mason, Masten, McIntosh, Montgomery, Moore, Morrison, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Settle, Smallwood, Speer, Speight, Stewart, Stiles, Strayhorn, Tate,



Thompson, Tomlinson, Toms, Waugh, White of Sampson, White of Bladen, Whitson, Williamson, Withers and Yancy, —81.

The following voted for CHARLES L. HINTON, viz :

Messrs. Benbury, Caldwell, Eborn, Ferebee, Folk, Gaither, Gilliam, Leach, Mann, Ogburn, Outlaw, Scott, Slaughter and Stubbs,—14.

Mr. Scales, from the committee to superintend the election of a Public Treasurer, reported that one hundred and thirty-four votes had been given, of which Mr. Courts received one hundred and twelve and Mr. Hinton twenty-two, and that Mr. Courts was duly elected. The House concurred in this report; and then,

On motion of Mr. Blow,

It being 12 o'clock and 40m., the House adjourned.

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TUESDAY, 23D DECEMBER, 1856.

The following bills, etc., were reported upon as follows, viz :  
H. 129, by Mr. Gilliam, judiciary, with a substitute, favorably;

H. 190, by Mr. Badham, same committee, favorably.

Mr. Humphrey, from the joint committee of arrangements for the inauguration, reported a programme in writing; which was read and adopted.

Mr. Tomlinson presented a joint resolution (No. 260) in favor of Joseph Bryant; which was read and passed, and referred to the committee upon claims.

Bills and joint resolutions of the titles following, upon the second reading, passed, or were otherwise disposed of as follows, viz :

H. 29, to emancipate Jerry a slave, did not pass the second reading, but was rejected.

H. 103, to repeal R. C., chapter 120, title Wrecks, s. 6; and the rule being suspended,

On motion of Mr. Gilliam,

The third reading also, and was ordered to be engrossed and sent to the Senate; so also with

H. 116, to authorize Samuel S. Biddle to establish a bridge as modified by the committee; so also with

H. 125, to amend R. C., chapter 99, title Revenue, s. 69.

H. 126, to extend the time for registering certain deeds, etc., did not pass the second reading, but was indefinitely postponed.

H. 130, to amend the charter of the town of Alamance, and the rule being suspended, the third reading also, and was ordered to be engrossed, and sent to the Senate; so also with

H. 131, to charter the Winston, Salem and Thomasville Turnpike Company.

At 11 o'clock and 40m., Mr. Blow moved the House do now adjourn, and the question then was put, and

Decided in the negative—Yeas .....	16
Nays .....	48

On motion of Mr. Rushing,

The yeas and nays were ordered. The following are the names of those who voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Benbury, Blow, Bridgers, Bright, Bullock, Cotten, Dargan, Gilliam, Glass, Reeves, Routh, Sauls, Thompson, White of Bladen and Whitson.

NAYS.—Messrs. Badhan, Barnes, Blanton, Bledsoe, Caldwell, Clarke, Dancy, Dills, Eborn, Eller, Elliott, Folk, Green, Hackney, Hargrove, Hester, Humphrey, Jarvis, Jenkins, Jennett, Lewis of Wake, Lewis of Nash, Long, Love, Mabry, Masten, McIntosh, Meares, Morrison, Ogburn, Pitchford, Ramsour, Rand, Rankin, Rumley, Rushing, Scott, Settle, Siler, Speer, Stewart, Stiles, Stubbs, Tomlinson, Toms, Waugh, White of Sampson and Yancy.

So the House refused to adjourn, and resumed, and

H. 134, to alter the line between Richmond and Montgomery counties, having passed the second reading, was recommitted to propositions and grievances.

H. 201, to improve Yadkin river, was recommitted to internal improvements.

Bills of the following titles then being read the second and

third times, passed successively the second and third readings and were ordered to be engrossed and sent to the Senate, viz :

H. 157, to establish a road in Madison county.

S. R. 180, concerning the historical agent. Ordered to be enrolled.

S. R. 182, in favor of John H. DeCarteret & Son. Ordered to be enrolled.

H. 200, to amend the charter of the Sulphur Springs and Paint Rock Turnpike Company.

The Speaker signed the following bill and joint resolution, reported by the committee to be truly enrolled, viz :

H. 112, to repeal R. C., chapter 85, title Pilots, s. 19.

H. R. 150, in favor of Dr. Francis L. Hawks; and he announced that he would be absent four days, and appointed Mr. Thomas Settle, a member of the House from the county of Rockingham, to the chair during his absence. Whereupon,

At 11 o'clock and 57m., the House adjourned.

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WEDNESDAY, 24TH DECEMBER, 1856.

The clerk read the minutes of yesterday, and Mr. Settle took the chair.

Mr. Benbury introduced the petition of Charles Fitzgerald and others, of Tyrrell county, praying an amendment of the road law. Read and referred to propositions and grievances.

Bills of the following titles were introduced, read, passed the first reading, and were filed for the second reading, or referred as follows, viz :

By Mr. Caldwell: a bill (No. 261) to charter the Guilford Agricultural Society.

By Mr. Clarke: a resolution (No. 262) in favor of York Collegiate Institute, in the county of Alexander. To education.

By Mr. Hargrove: a bill (No. 263) to amend the R. C., chapter 107, title Slaves and Free Negroes, s. 66.

A bill of the following title was read the second and third



times, passed, and ordered to be engrossed and sent to the Senate, viz :

H. 257, to amend the charter of the Little River Turnpike Company.

Mr. Love moved to suspend the rules and read the second time,

H. 256, to charter the town of Waynesville, and it was so ordered, and he moved the same be now read the third time.

Mr. Waugh moved the same be laid upon the table, and

On motion of Mr. Meares,

The yeas and nays being ordered, the House was found without a quorum ; whereupon,

On motion of Mr. Badham,

The House, at 10 o'clock and 47m. adjourned until 11 o'clock, to-morrow.

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THURSDAY, 25<sup>TH</sup> DECEMBER, 1856.

The House met pursuant to adjournment, and no quorum being present,

On motion of Mr. Lewis of Wake,

And at 11 o'clock and 7m. adjourned.

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FRIDAY, 26<sup>TH</sup> DECEMBER, 1856.

No quorum appearing,

On motion of Mr. Blow,

The House adjourned until 11 o'clock, to-morrow.

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SATURDAY, 27<sup>TH</sup> DECEMBER, 1856.

The House met pursuant to adjournment, and no quorum being present, Mr. Baxter moved the members present adjourn, and the question was put thereon, and it was not adopted.

Yeas ..... 00

Nays ..... 19

On motion of Mr. Rushing,

The yeas and nays were ordered. The following are the names and vote of the members present and voting in the negative, viz:

Messrs. Baxter, Bledsoe, Bright, Clarke, Glass, Jarvis, Jennett, Love, Rumley, Rushing, Scott, Siler, Slaughter, Speer, Stiles, Toms, Waugh, White of Sampson and Whitson.

On motion of Mr. Bledsoe,

The House then adjourned until Monday next, at 11 o'clock.

MONDAY, 29<sup>TH</sup> DECEMBER, 1856.

The House met pursuant to adjournment, and the Speaker resumed the chair.

Mr. Baxter presented the memorial of S. H. Loftin and others, of Henderson county, praying compensation to justices of the peace. Read and referred to committee upon finance.

Bills and joint resolutions of the following titles were introduced, read, ordered and referred as follows, viz:

By Mr. Scott: a bill (No. 264) concerning the statistics of crime. To judiciary.

By Mr. Clarke: a bill (No. 265) to amend the charter of the town of Lenoir. To propositions and grievances.

By Mr. Jenkins: a resolution (No. 266) in favor of Wm. H. Bobbitt. To judiciary.

By Mr. Badham: a resolution (No. 267) in favor of Sarah Charlton. To judiciary.

By Mr. Bledsoe: a bill (No. 268) to re-charter the Bank of the State of North-Carolina.

Mr. Waugh moved the House do now adjourn, and the question thereon was put and

Decided in the affirmative—Yeas .....	26
Nays .....	17

On motion of Mr. Rushing,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Baxter, Benbury, Blanton, Bright, Caldwell, Cotten, Dancy, Gentry, Hester, Jenkins, Jennett, Martin, Masten, Rumley, Scales, Scott, Siler, Slaughter, Stiles, Thompson, Waugh, White of Sampson, White of Bladen and Whitson.

And the following in the negative, viz :

NAYS.—Messrs. Bledsoe, Clarke, Dills, Eller, Glass, Humphrey, Jarvis, Leitch, Lewis of Nash, Love, Mosely, Pearson, Rand, Rushing, Speer, Toms and Yancey.

And so at 11 o'clock and 40m. the House adjourned to meet hereafter at the regular hour.

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#### TUESDAY, 30TH DECEMBER, 1856.

Bills, etc., of the following titles were introduced, read, passed the first reading, and were filed for the second reading, referred or otherwise disposed of as follows, viz :

By Mr. Yancy : a bill (No. 269) to lay off a road in Madison county.

By Mr. Stiles : a bill (No. 270) to prevent obstructions to the passage of fish in Notley river.

By Mr. Lewis of Wake : a bill (No. 271) to charter the North-Carolina Bank. Ordered to be printed.

By Mr. Dancy : a bill (No. 272) to prevent the sale of spirituous liquors in the town of Wilson ; and the rule being suspended, this bill also passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

From the Senate : an engrossed bill (No. 273) to charter the Salem Cemetery Company. Table.

From the Senate : an engrossed bill (No. 274) to extend the powers of Plankroad and Turnpike Companies.

From the Senate : an engrossed bill (No. 275) concerning the clerks of the supreme court.

From the Senate : an engrossed bill (No. 276) to secure the holders of coupon bonds.

II. 98, to amend R. C., chapter 99, title Revenue, s. 60, being modified and amended,



On motion of Mr. Lewis of Nash,

Was recommitted to finance.

Bills of the following titles passed the second and third readings, were ordered to be enrolled or engrossed and sent to the Senate, or otherwise disposed of as follows, viz :

H. R. 151, in favor of W. W. Daniel of Halifax;

H. 153, to repeal an act of 1854 concerning Big and Little Ivy, in Madison county;

S. 159, to amend charter of the Fayetteville and Western Plank Road Company;

H. 158, concerning the public arms;

H. 166, to amend the charter of the Gulf and Graham Plank Road Company;

H. 169, concerning Colerain wharf, in Bertie;

H. 171, to charter the Normal College and Thomasville Turnpike Company;

H. 186, to charter Chowan College, in Gates, the same being first amended according to the recommendation of the committee upon education;

H. 188, a substitute for the bill to charter the town of Marion;

H. 192, to change the name of the town of New Institute;

H. 193, to change the name of the school at New Institute;

H. 204, to charter the Oak City Guards;

H. 206, to charter the Currituck Hotel Company;

S. 213, an engrossed bill to charter the town of Thomasville;

S. 214, an engrossed bill to amend the charter of the Western Plankroad Company;

H. 236, to prohibit the felling of timber in Cranberry creek, in the county of Ashe, amended so as to include Crabtree creek in Wake, and New Hope creek, in Orange county;

H. 253, a substitute for the bill to charter the town of Yadkinsville, in Yadkin county;

H. 256, a substitute for the bill to charter Waynesville, in the county of Haywood.

At 11 o'clock and 55m., Mr. Jenkins moved the House do

now adjourn, and the question was put and decided as follows:

Yeas .....	22
Nays .....	25

On motion of Mr. Jarvis,

The yeas and nays were ordered. The following members of the House voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Baxter, Benbury, Bright, Bynum, Caldwell, Hackney, Houck, Jenkins, Leitch, Love, Lyon of Orange, Martin, Patterson, Runley, Scott, Sharp, Siler, Strayhorn, White of Sampson and White of Bladen.

And the following in the negative, viz:

NAYS.—Messrs. Blanton, Bledsoe, Clark, Dancy, Dills, Eller, Gentry, Glass, Hester, Humphrey, Jarvis, Jennett, Lewis of Nash, Masten, Mosely, Pearson, Rushing, Scales, Speer, Stewart, Stiles, Toms, Waugh, Whitson and Yancy.

Thereupon, no call of the House being made, the Speaker said, it appearing from the result of this ballot that there is not a quorum of the members of the House present, the Speaker declares this House adjourned until to-morrow morning at 10 o'clock. And the House then adjourned.

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### WEDNESDAY 31ST DECEMBER, 1856.

Bills of the following titles were introduced, read, passed the first reading, and were referred or otherwise disposed of of as follows, viz:

By Mr. Stewart: a bill (No. 277) concerning common schools in Harnett county. To propositions and grievances.

By Mr. Green: a bill (No. 278) to prohibit sales of spirituous liquors to free persons of color. To judiciary.

By Mr. Houck: a bill (No. 279) to prevent obstructions to Grant's creek in Rowan county.

By Mr. Houck: a bill (No. 280) to amend the R. C., chapter 34, title Crimes and punishments, s. 85.

By Mr. Benbury: a bill (No. 281) concerning State bonds. To the committee on finance.

On motion of Mr. Houck,

Leave was granted him to withdraw from the files the bill, H. 174, to amend R. C., chapter 34, title Crimes and Punishments, s. 99, and to file a substitute therefor, which was referred to the committee on the judiciary.

The bills of the following titles being read, passed the second and third readings, and were ordered as follows, viz:

H. 269, to lay off a road in Madison county. Ordered to be engrossed and sent to the Senate.

S. 274, to authorize plankroad and turnpike companies to use stone or gravel. Ordered to be enrolled.

Mr. Slaughter moved that a message be sent to the Senate, proposing at half-past 11 o'clock to-morrow, to proceed to elect an Attorney General for the unexpired term of Joseph B. Batchelor, Esq., and the question thereon being put, and no quorum voting, Mr. Love moved there be a call of the House, and the motion was agreed to. The Clerk proceeded to call the roll, and had called the names of twenty-two members, noting the absentees, when,

On motion of Mr. Baxter,

Further proceedings were dispensed with, and no quorum appearing, the Speaker declared the House adjourned.

And so the House at 10 o'clock and 40m. adjourned.

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#### THURSDAY, 1ST JANUARY, 1857.

The bills and joint resolutions of the House respectively numbered as follows, and taken up from the table and restored to their places on the calendar for the second reading, viz: Nos. 55, 58, 64, 86, 88, 115, 279 and 280.

Bills of the titles following were introduced, read, passed the first reading, and filed for the second reading, or referred as follows, viz:

By Mr. Love: a bill (No. 282) to enlarge the powers of the trustees of Green Hill Academy, in the county of Haywood;

By Mr. Rumley: a bill (No. 283) to amend the R. C. c. 85, title Pilots, s. 36, with the memorial of Thomas D. Thomas



and others, of the county of Beaufort, accompanying the same. To judiciary.

By Mr. Scales: a bill (No. 284) to repeal R. C., c. 7, title Asylums, s. 36. To the committee on the lunatic asylum.

By Mr. Rushing: a bill (No. 285) to discourage unjust prosecutions. To judiciary.

By Mr. Eller: a bill (No. 286) to aid in the construction of a road in Wilkes county. To internal improvements.

By Mr. Elliott: a bill (No. 287) to charter Mt. Olivet Academy, in the county of Randolph. To education.

The House then proceeded to consider the unfinished business of yesterday, being the motion of Mr. Slaughter to send a message to the Senate, proposing to proceed to the election of an Attorney General, for the unexpired term of Mr. Batchelor, at half past 11 o'clock this day.

Mr. Caldwell moved to amend the motion, by striking out "etc." and inserting "immediately;" and the question was put thereon and decided in the negative.

Mr. Humphrey moved to reconsider the vote upon this amendment, and it was not agreed to; and the question recurred and was put, and decided in the affirmative. And the message being sent, the House were informed that the Senate concurred, and that Messrs. Hill and Gorrell were appointed to superintend the election in the Senate; whereupon the Speaker appointed Messrs. Waugh and Waddill on the part of the House.

The bills respectively entitled as follows, were this day read the second and third times, passed the second and third readings, and ordered to be engrossed and sent to the Senate, viz:

H. 58, concerning inspectors of naval stores;

H. 135, to appoint a special magistrate for the town of Salisbury, in Rowan county;

H. 270, to prevent the obstruction of fish in Notley river, in the county of Cherokee;

H. 279, to prevent the obstruction of fish in Grant's creek, in the county of Rowan;

H. 282, to enlarge the powers of the trustees of Green Hill Academy, in the county of Haywood; and

On motion of Mr. Elliott,

The vote by which the same had been referred to the committee on education being reconsidered,

H. No. 287, to charter Mt. Olivet Academy in the county of Randolph.

At half-past eleven o'clock, the House voted for Attorney General to fill the unexpired term of Mr. Batchelor, as follows. The following members voted for WILLIAM H. BAILEY, viz :

Mr. Speaker, Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bynum, Bullock, Cansler, Clarke, Cotten, Dancy, Davidson, Dills, Gentry, Glass, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Humphrey, Jarvis, Jenkins, Kelly, Lewis of Nash, Love, Lyon of Orange, Lyon of Granville, Masten, Matthews, Montgomery, Moore, Moseley, Outerbridge, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rumley, Rushing, Sauls, Scales, Scott, Southerland, Speer, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Bladen, Whitson, Withers and Yancy—65.

The following members voted for HENRY W. MILLER, viz :

Messrs. Baxter, Benbury, Caldwell, Crump, Dargan, Eller, Elliott, Ferebee, Foster, Gilliam, Houck, Jennett, Leitch, Little, Mabry, Martin, Ogburn, Pickett, Richardson, Siler, Slaughter, Stubbs and Waddill—22.

A little before twelve o'clock, the hour fixed by the joint committee, and the order of the House for the inauguration of Thomas Bragg, Governor elect,

On motion of Mr. Humphrey,

A message was sent to the Senate informing that body that the hour for the inauguration had arrived, and that the House now waited to receive the Senate, and afterwards the Senate being announced, that body preceded by their Speaker and Secretary, entered the hall, and were received by the House standing.

Pursuant to the arrangement theretofore made, the Senators accepted the seats on the right of the Speaker's chair,

and the Speaker of the Senate a seat on the right of the Speaker.

Then, the Governor elect, attended by the Chief Justice of the Supreme Court of North-Carolina, and the Judges of the same, and by the joint committee of arrangements, appeared in the hall.

The Governor elect and the Chief Justice sat together at the clerk's table, the other judges sat directly in front of them, as also the committee aforesaid, upon seats provided for the occasion, and so arranged as to face the Governor and the Chief Justice ; and all being seated the Speaker of the Senate announced the business before the convention.

The Chief Justice then, in the presence of all, administered to the Governor elect the oaths of office prescribed by law, viz: an oath to support the constitution of the United States, the oath of allegiance to the State, and the oath of office, and His Excellency having subscribed them, addressed the convention as follows :

*Gentlemen of the Senate*

*and House of Commons :*

Two years ago it was my fortune to appear before you and give the pledges of fidelity required by law, before entering upon the discharge of the duties of Chief Executive officer of the State. The time for which I had then been elected has expired.

It may hardly be becoming in me now to speak of my past official course. My fellow-citizens, of all political parties, will judge of that, and from my knowledge of them, I confidently believe they will do it, not only considerately, but kindly.

Errors, no doubt, have been committed by me. I claim no exemption from the weakness incident in a greater or less degree to us all, and trust that I am sensible, to some extent at least, of my own imperfections in particular. All I ask of them is, to believe that I have been actuated by honest purposes, and have, on all occasions, endeavored to maintain the honor and dignity of the State, and to advance her welfare



and prosperity, so far as I had power to do it, within the scope of my official authority.

A majority of my fellow-citizens have re-elected me Governor of the State. Indebted to them as I was before, for the generous confidence reposed in me, when comparatively a stranger to most of them, I can find no language now adequate to express my deep sense of the obligation under which they have placed me, and my gratitude for their decided support, after they had had an opportunity, to some extent, of passing upon my official conduct.

It is under these circumstances that I appear before you to-day to renew the pledges of official fidelity heretofore given; and if I enter upon the discharge of my official duties for a second term, not with entire confidence, I shall do so with alacrity, feeling assured that my official acts, whatever they may be, will be fairly and impartially passed upon by all, and that my errors, if any, will at least meet with the kind indulgence of those whose good opinion and support I have heretofore been so fortunate as to secure.

We enter to-day upon another year—whether it is to be one of weal or woe for our country and our State, is known only to Him who rules and directs the destinies of nations.

Though the prospect before us is not one of calm unbroken brightness, and fragments of the storm-clouds which but lately overhung the land still float in our political horizon, yet they have ceased for the time to threaten us with danger or to excite our immediate apprehensions. These indications may be delusive, but I have persuaded myself that there is a calmer, a better and more tolerant spirit abroad in the country. Our people have profited by the breathing time they have had since the late struggle through which they have passed. Educated in self-government, they have, on several occasions, been able to withstand excitements which would have proved fatal to other institutions than their, and have triumphed over dangers which seemed almost insurmountable.

To those unacquainted with the character of our people, these excitements appeared like upheavings from the great deep of society. Time has proved that they were but as the

tempest-tost ocean waves, agitating the surface, while below all was tranquil and unmoved.

While taking this hopeful view of affairs, I am not unaware of the fact that many regard the present apparent calm as deceitful—a mere lull in the storm, which is destined, at no distant day, to burst upon us with renewed violence.

However this may be, it is now the duty of every good citizen to endeavor to allay the excitement, abating at the same time none of our rights, but firmly and unflinchingly sustaining them, as the surest means of their preservation and of perpetuating that Union and those institutions, under which we have, in a short time, grown to be one of the great powers of the earth.

Simple and unostentatious as are the ceremonies to-day, we have here represented the three departments of our State government—the Executive, the Legislative, and those who compose our Supreme Judicial tribunal. We have all of us distinct but important duties to discharge.

The most important, however, are those devolved upon you as the exclusive law-making power of the State.

In the progress of events, these duties have become more varied and important than formerly, and, therefore, requiring more time for their dispatch. As the resources of the State are brought to notice and become better known, these duties are likely to increase rather than diminish, and the scope of our legislation to be widened and extended.

I am aware, gentlemen, that several of the most important subjects upon which you have been called to act during the present session are yet undisposed of, but it is not my purpose now to speak of these or others, having so lately had an opportunity of communicating with you in another way. I trust I may be pardoned, however, for expressing the hope that although your session may become somewhat protracted, you will not suffer yourselves, on that account, to be hurried into hasty and imperfect legislation, always producing serious evils, and to undo which is oftentimes impossible.

For myself, when my official term shall have ended, and I return to the walks of private life, I can hope for no higher

gratification than to see North-Carolina distinguished by all the qualities which constitute a great State, and taking the position at home and abroad which every one of her sons should wish her to occupy. Whether this shall be the case, depends more upon your labors than mine.

That this hope may be realized, I am sure that you, and all who hear me to-day, will most heartily desire.

Whereupon he, accompanied by the Chief Justice and the Judges, and the committee of arrangements, withdrew from the Hall; and then the Senate, preceded as before by their Speaker and Secretary also withdrew, and the members and officers of the House resumed their seats; when,

On motion of Mr. Gilliam,

And at 12 o'clock and 20m., the House adjourned.

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FRIDAY, 2D JANUARY, 1857.

The following memorial was introduced, read and referred to the committee upon Finance; viz:

By Mr. Kelly: the memorial of the county court of Craven, praying for the passage of a law to exempt the bonds of Craven county, and the interest thereon accruing, from taxation.

The bills and joint resolutions following were reported upon as follows, viz:

H. 83, by Mr. Dargau, from the judiciary, unfavorably;

H. R. 260, by Mr. Humphrey, from the committee on claims, unfavorably; also,

H. R. 267, favorably.

Mr. Waugh, from the committee to superintend the election of an Attorney General for the unexpired term of Mr. Batchelor, reported that 117 votes had been counted in the said election, and 59 being necessary for a choice, William H. Bailey had received 91 votes, Henry W. Miller 23 votes, Bartholomew F. Moore 3 votes, and that Mr. Bailey had been duly elected. The House concurred in this report.



The following resolution was introduced, read and disposed of as follows, viz :

By Mr. Stubbs : a resolution to fix the daily sessions of the House, from and after Monday next, from 10 o'clock A. M., to 3 o'clock P. M. Laid over one day under the rule.

Mr. Jenkins gave notice that he would introduce an amendment thereto, when it was called up.

Bills and joint resolutions respectively entitled as follows were introduced, read, passed the first reading, and filed for the second reading, or referred as follows, viz :

By Mr. Scott : a joint resolution (No. 288) authorizing the Governor to furnish the officers of the departments of the Federal Government with copies of the acts of our General Assembly.

By Mr. Green : a joint resolution (No. 289) to authorize the State Geologist to supply the patent office with a collection of N. C. minerals, etc.

By Mr. Baxter : a bill (No. 290) to increase the public revenue. To finance.

By Mr. Gilliam : a bill (No. 291) to repeal the R. C., chapter 81, title Oysters and other Fish, s. 8. To propositions and grievances.

By Mr. Pickett : a bill (No. 292) to amend the charter of the Carolina Female College, and the memorial of Joel Tyson, sr., and others, relative thereto. To corporations and currency.

By Mr. Elliott : a bill (No. 293) to extend the time for perfecting titles to vacant lands.

By the same : a bill (No 294) to alter the time for the meeting of the General Assembly.

By Mr. Gentry : a bill (No. 295) to provide for the construction and repair of public roads. To internal improvements.

By Mr. Tate : a bill (No. 296) to correct an error in the LL. 1854-'55, chapter 131, title Seamen, etc., s. 4.

By Mr. Siler : a bill (No. 297) to establish anew the county line between Macon and Jackson counties, with the memo-

rial of E. D. Brindle and others, and of J. D. Alsey and others. To propositions and grievances.

By Mr. Waddill: a bill (No. 298) to charter the town of Albemarle in the county of Stanly.

By Mr. Dargan: a joint resolution (No. 299) in favor of Joseph Marshall, of the county of Stanly. To judiciary.

By Mr. Pickett: a bill (No. 300) to prohibit the poisoning of fish. To propositions and grievances.

On motion of Mr. Stubbs,

*Ordered*, That all bills and joint resolutions on the table, and those passed on the last week under the rule introduced by Mr. Withers, of the 20th December, be replaced on the files for the second reading.

The House then proceeded to consider bills for the second reading, when the bills, etc., respectively entitled as follows, were called and read, and the following proceedings had, viz:

H. 55, Mr. Elliott's bill concerning small notes; the question being, shall this bill pass the second reading, Mr. Elliott moved it be made a special order for Monday next, at half-past 11 o'clock; pending which,

On motion of Mr. Jenkins,

The same was laid upon the table.

H. R. 64, in favor of Bennet H. Stanmire, the pending question being upon the amendment of Mr. Humphrey, and the same was withdrawn, and the question recurring upon the adoption of the report presented by the majority of the committee, Mr. Houck moved the resolution be made the special order for Tuesday next at 11 o'clock, but it was not agreed to. Mr. Caldwell then moved to strike out the sum of \$7,175 00, and it was adopted; and the question recurred, when

A message from the Senate informed the House that that body concurred in the amendments to s. 159, to amend the charter of the Fayetteville and Western Plankroad Company, and the House resumed

H. R. 64, the question being upon the adoption of the majority report as follows, viz:

"Strike out all in the resolution after the words 'survey'

and insert the words following, viz: "Four thousand dollars with interest on the same from the 26th January, 1849."

Mr. Gilliam moved to refer the resolution and amendments to a select committee of five, and it was put and decided in the negative, there being counted

In the affirmative—33	}	votes.
In the negative—44		

And the question recurred, when Mr. Montgomery moved to amend as follows, viz:

Strike out all after the word Resolved, and insert "that B. H. Stanmire be allowed to enter and locate 640 acres of land upon any land belonging to the State subject to entry;" and the question being first taken upon the motion to strike out, it was not adopted.

Mr. Hackney moved to strike out the sum named by the committee, and insert in lieu thereof "\$6,500 with interest from the 12th December, 1852," and also the following: "*Provided*, That before such payment the said Stanmire shall release to the grantees of the State all claim in the 400 acre and in the 180 acre tract, and to Jacob Siler his interest in the 80 acre tract," and the question being thereon, Mr. Sharpe moved to postpone the question indefinitely, and it was not adopted.

Yeas .....	27
Nays .....	66

On motion of Mr. Jenkins,

The yeas and nays were ordered. The following are the names of those who voted in the affirmative, viz:

YEAS.—Messrs. Bledsoe, Bullock, Cansler, Dancy, Davidson, Dills, Eller, Gaither, Hargrove, Kelly, Leitch, Little, Lyon of Granville, Meares, Montgomery, Moore, Outerbridge, Parker, Patterson, Ramsour, Richardson, Rushing, Sharp, Slaughter, Spear, Withers and Yancy.

And the following voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Blanton, Blow, Bright, Bynum, Caldwell, Clarke, Cotten, Crump, Elliott, Ferebee, Foster, Gentry, Gilliam, Glass, Green, Hackney, Harrell, Hester, Hill of Stokes, Houck, Humphrey, Jarvis, Jenkins, Jennett, Lewis of Nash, Long,



Love, Lyon of Orange, Mabry, Martin, Masten, Matthews, Mosely, Ogburn, Pearson, Pickett, Pitchford, Rand, Rankin, Reeves, Routh, Rumley, Sauls, Scales, Scott, Settle, Siler, Southerland, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Bladen, Whitson and Williamson.

And the question recurred, Mr. Benbury moved to lay the same upon the table, and it was not adopted; Mr. Blow moved that the vote be reconsidered by which a certain motion to refer to a committee of seven had been rejected, and it was not adopted,

Yeas ..... 44

Nays ..... 49

On motion of Mr. Dancy,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Benbury, Bethea, Blow, Bynum, Caldwell, Clarke, Cotten, Dargan, Ferebee, Gentry, Gilliam, Green, Hackney, Hill of Stokes, Jenkins, Jennett, Kelly, Leitch, Love, Lyon of Orange, Mabry, Martin, Masten, Meares, Moore, Ogburn, Rand, Routh, Scales, Settle, Siler, Slaughter, Southerland, Stewart, Tate, Tomlinson, Toms, Waddill, Ward, White of Bladen, Whitson and Withers.

The following voted in the negative, viz:

NAYS.—Messrs. Baxter, Blanton, Bledsoe, Bullock, Cansler, Crump, Dancy, Davidson, Dills, Eller, Elliott, Foster, Gaither, Glass, Hargrove, Harrell, Hester, Houck, Humphrey, Jarvis, Lewis of Nash, Little, Long, Lyon of Granville, Matthews, Montgomery, Mosely, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Rumley, Rushing, Sauls, Scott, Sharp, Speer, Stiles, Strayhorn, Thompson, Waugh, White of Sampson and Yancy.

So the House refused to reconsider the refusal to refer, and the question recurred upon the amendment offered by Mr. Hackney, and was put and

Decided in the negative—Yeas ..... 20

Nays ..... 75

On motion of Mr. Hackney,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Bethea, Blow, Bright, Bynum, Cotten, Gilliam, Hackney, Jarvis, Jenkins, Mabry, Routh, Rumley, Sauls, Southerland, Stewart, Thompson, Toms, White of Sampson and White of Bladen.

The following voted in the negative, viz.

NAYS.—Messrs. Badham, Barnes, Benbury, Blanton, Bledsoe, Bullock, Caldwell, Cansler, Clarke, Crump, Dancy, Dargan, Davidson, Dills, Eller, Elliott, Ferebee, Foster, Gaither, Gentry, Glass, Green, Hargrove, Harrell, Hester, Hill of Stokes, Houck, Humphrey, Jennett, Kelly, Leitch, Little, Long, Love, Lyon of Orange, Lyon of Granville, Martin, Masten, Matthews, Meares, Montgomery, Moore, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Rushing, Scales, Scott, Settle, Sharp, Siler, Slaughter, Speer, Strayhorn, Stubbs, Tate, Tomlinson, Waddill, Ward, Waugh, Whitson, Williamson, Withers and Yancy.

And the question being upon the amendment of the committee, Mr. Gilliam moved to amend by adding as follows, viz : “ *Provided, nevertheless,* That said Stanmire shall accept the same in discharge of all claim upon the State ;” and the question being put thereon, it was not adopted.

Yeas ..... 34

Nays ..... 60

On motion of Mr. Bullock,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Baxter, Benbury, Bethea, Blanton, Bright, Bynum, Caldwell, Cotten, Gentry, Gilliam, Glass, Hackney, Harrell, Jarvis, Jenkins, Love, Mabry, Matthews, Mosely, Ogburn, Reeves, Routh, Rumley, Sauls, Settle, Southerland, Stewart, Strayhorn, Thompson, Tomlinson, Toms, White of Sampson and White of Bladen.

The following members voted in the negative, viz :

NAYS.—Messrs. Badham, Bledsoe, Blow, Bullock, Cansler, Clarke, Crump, Dancy, Dargan, Davidson, Dills, Eller, Elliott,

Ferebee, Foster, Gaither, Green, Hargrove, Hester, Hill of Stokes, Houck, Humphrey, Kelly, Leitch, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Martin, Masten, Meares, Montgomery, Moore, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Richardson, Rushing, Scales, Scott, Sharp, Siler, Slaughter, Speer, Stubbs, Tate, Waddill, Ward, Waugh, Whitson, Williamson, Withers and Yancy.

Mr. Pitchford offered the following amendment, viz :

Strike out the sum proposed by the committee and insert in lieu thereof, and for the remainder of the resolution, as follows : "725 dollars with interest for 33 years, being in all the sum of \$2,160.50, and the 60 acres of public land now in the possession of said Stanmire : Provided, nevertheless, that he, the said Stanmire, shall accept the same in discharge of all claim upon the State."

And it was adopted, and then the amendment proposed by the committee so amended was adopted, and the question recurred, when Mr. Stiles moved to strike out the words "and the sixty acres of public land now in the possession of the said Stanmire;" and it was not adopted; and the question was put upon the resolution as amended, and it was

Decided in the affirmative—Yeas .....	56
Nays .....	39

So the resolution passed the second reading.

On motion of Mr. Houck,

The yeas and nays were ordered. The following named members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Blanton, Bledsoe, Bright, Bynum, Clarke, Cotten, Gentry, Gillian, Glass, Green, Hackney, Harrell, Hester, Hill of Stokes, Jarvis, Jenkins, Jennett, Kelly, Lewis of Nash, Long, Mabry, Martin, Masten, Matthews, Moore, Mosely, Ogburn, Outerbridge, Parker, Pearson, Pitchford, Ramsour, Rand, Reeves, Routh, Rumley, Sauls, Scales, Settle, Southerland, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, Williamson and Withers.

The following members voted in the negative, viz :



NAYS.—Messrs. Bullock, Caldwell, Cansler, Crump, Dancy, Dargan, Davidson, Dills, Eller, Elliott, Ferebee, Foster, Gaither, Hargrove, Houck, Humphrey, Leitch, Little, Love, Lyon of Orange, Lyon of Granville, Meares, Montgomery, Patterson, Pickett, Rankin, Richardson, Rushing, Scott, Sharp, Silver, Slaughter, Speer, Stiles, Stubbs, Waddill, White of Bladen, Whitson and Yancy.

And then the House,

On motion of Mr. Hill of Stokes,

And at 2 o'clock and 3m., adjourned.

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SATURDAY, 3D JANUARY, 1857.

Mr. Waddill had leave, on motion, to withdraw from the file the bill of the House (No. 298) to charter the town of Albemarle, in the county of Stanly, and to file a substitute therefor.

The bills and joint resolutions following were reported upon, viz:

H. 144, by Mr. Hargrove, from propositions and grievances, favorably.

H. R. 185, by Mr. Ferebee, from education, favorably.

H. R. 259, by Mr. Humphrey, from claims, favorably.

The following resolution was introduced, read and adopted, viz:

By Mr. Withers: "*Resolved*, That the committee on the judiciary be requested to examine the R. C., chapter 107, title Slaves, etc., and report whether any further legislation be necessary to prevent the assemblage of slaves at musters, elections, and other public gatherings; also, if some legislation is not necessary to prevent the traffic in fowls, etc., and that they report by bill or otherwise."

On motion of Mr. Stubbs,

The House proceeded to consider his resolution of yesterday concerning the time for the daily meetings and adjournment of the House, when

Mr. Jenkins moved to amend by striking out the word

“ten” and inserting the words “nine o'clock” in said resolution. Mr. Ferebee moved to amend as follows: Strike out all after the word “Resolved” and insert the following: “On and after Monday next, the House will take a recess from one o'clock until three o'clock, P. M., and that in the afternoon session they will consider only private bills and bills of a local nature, until the same shall all be disposed of;” and the question upon this amendment was put, and it was adopted, and the question recurring upon the resolution as amended, it was not adopted.

Bills and joint resolutions of the titles following, were introduced, read, passed the first reading, and filed for the second reading, or referred as follows, viz:

By Mr. Pearson: (No. 301) a joint resolution in favor of Benjamin Henlin and his sureties, and the memorial of Finley Laws and others, relating thereto. To propositions and grievances.

By Mr. Sharpe: a joint resolution (No. 302) in favor of Henry Frontman, sheriff of Iredell.

By Mr. Stubbs: a bill (No. 303) to change the beginning day of the winter session of the supreme court.

By Mr. Humphrey: a bill (No. 304) concerning Burke Square in the city of Raleigh. To public grounds and buildings.

By Mr. Settle: a bill (No. 305) to amend R. C., chapter 119, title Wills and Testaments, s. 17.

By Mr. Bynum: a bill (No. 306) to amend R. C., chapter 118, title Widows, s. 2. To judiciary.

By Mr. Speer: a bill (No. 307) to establish a medical board and for other purposes. Ordered to be printed.

By Mr. Badham: a bill (No. 308) to charter the Albemarle Rifles of Edenton in the county of Chowan.

By Mr. Kelly: a bill (No. 309) to alter the time for laying the county taxes in the county of Craven.

The following bills, etc., upon the second reading, were then read and passed the second and third readings, and were ordered to be engrossed and sent to the Senate, or were otherwise disposed of as follows, viz:

H. 293, to extend the time for perfecting titles to certain vacant lands, the same being put, was now amended,

On motion of Mr. Elliott,

By the insertion of a substitute filed and offered by him.

H. 86, to repeal R. C., chapter 2, title Geology and Agriculture, ss. 13, 14, 15 and 16, passed the second reading only.

H. 88, to increase the salary of the Secretary of State was amended as proposed by the committee on propositions and grievances, and then the question being "shall the bill pass the second reading?" it was rejected.

Yeas ..... 32

Nays ..... 64

On motion of Mr. Gaither,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Bledsoe, Blow, Bright, Crump, Dargan, Elliott, Ferebee, Foster, Glass, Houck, Kelly, Leitch, Love, Mabry, Matthews, Moore, Mosely, Ramsour, Rand, Scales, Settle, Siler, Speight, Stubbs, Tate, Ward, White of Bladen and Whitson.

The following members of the House voted in the negative, viz:

NAYS.—Messrs. Blanton, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Dancy, Davidson, Dills, Eborn, Eller, Gaither, Gentry, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Masten, Meares, Montgomery, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Rankin, Richardson, Routh, Rumley, Rushing, Sauls, Scott, Sharpe, Slaughter, Southerland, Speer, Stewart, Strayhorn, Thompson, Tomlinson, Toms, Waddill, Waugh, White of Sampson, Williamson, Withers and Yancy.

S. 92, to provide for better securing costs in the action of ejectment, then passed the third reading, and was ordered to be enrolled.

Yeas ..... 72

Nays ..... 23



On motion of Mr. Baxter,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Benbury, Bethea, Blanton, Bledsoe, Bynum, Bullock, Caldwell, Clarke, Cotten, Dancy, Dargan, Davidson, Eborn, Elliott, Ferebee, Foster, Gentry, Gilliam, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Jenkins, Jennett, Johnston, Jones, Kelly, Leitch, Lewis of Nash, Little, Long, Lyon of Orange, Mabry, Matthews, Montgomery, Moore, Ogburn, Outerbridge, Parker, Pitchford, Ramsour, Rand, Rankin, Rumley, Rushing, Sauls, Scales, Scott, Settle, Siler, Slaughter, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, White of Sampson, White of Bladen, Whitson, Williamson, Withers and Yancy.

The following members voted in the negative, viz :

NAYS.—Messrs. Baxter, Blow, Cansler, Crump, Dills, Eller, Gaither, Glass, Humphrey, Jarvis, Lyon of Granville, Martin, Masten, Meares, Patterson, Pearson, Pickett, Richardson, Routh, Sharpe, Stubbs, Waddill and Waugh.

H. 115, was on motion of Mr. Parker, laid upon the table.

H. R. 122, in favor of John Pepper, of Stokes; the same being first, however, amended as proposed by the committee.

H. 129, with a substitute, was on motion of Mr. Gilliam, laid upon the table.

H. 136, was on motion of Mr. Humphrey, laid upon the table.

H. R. 145, in favor of Thomas H. Wylie, of the county of Granville.

H. 145, was on motion of Mr. White of B., laid on the table.

H. R. 149, in favor of Joseph Clarke.

H. R. 152, in favor of Theodore Schrader.

H. 154, was on motion of Mr. Gilliam, laid upon the table.

H. 155, to prevent the circulation of counterfeit bank notes.

H. 156, was on motion of Mr. Clarke, laid upon the table.

H. R. 163, in favor of James Morrison.

H. R. 164, in favor of Eliza Hemphill.

At 1 o'clock Mr. Waddill moved the House do now adjourn, and the question thereon was put and

Decided in the negative—Yeas .....	13
Nays .....	80

On motion of Mr. Pickett,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Bethea, Cotten, Dargan, Elliott, Gaither, Jones, Ogburn, Pickett, Rand, Scott, Sharp, Waddill and Williamson.

The following members voted in the negative, viz:

NAYS.—Messrs. Badham, Baxter, Benbury, Blanton, Bledsoe, Blow, Bright, Bynum, Bullock, Caldwell, Cansler, Clarke, Crump, Dancy, Davidson, Dills, Eller, Ferebee, Foster, Gentry, Gilliam, Glass, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Kelly, Leitch, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mabry, Masten, Matthews, Meares, Moore, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Settle, Siler, Slaughter, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Toms, Ward, Waugh, White of Sampson, Whitson, Withers and Yancy.

So the House refused to adjourn, and resuming,

S. 276, to secure the holders of coupon bonds, was read the second and third times, passed the second and third readings, and was ordered to be enrolled.

On motion of Mr. Caldwell,

*Ordered*, That a message be sent to the Senate, proposing to proceed with nominations of justices of the peace; and,

On motion of Mr. Hill of H.,

Saturday next, at 3 o'clock, P. M., was proposed as the time for that purpose.

The House resumed the calendar, with the following result, viz:

Nos. 165 and 168 passed over.

H. 170, was, on motion of Mr. Green, laid on the table.

II. 173, to promote and encourage matrimony, being read the second time, and the question put, "shall this bill pass the second reading?" the amendment of Mr. Jarvis being withdrawn, Mr. Crump offered an amendment, which was adopted, and Mr. Waddill an amendment, which was adopted; and then,

On motion of Mr. Dancy,

The bill and amendments were indefinitely postponed.

II. 177, was, on motion of Mr. Baxter, laid on the table.

Mr. Caldwell moved that the vote by which the resolution of Mr. Stubbs, as amended had been rejected, be now reconsidered, and it was put and not agreed to; and then,

On motion of Mr. Waddill,

And at 1 o'clock and 40m., the House adjourned.

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MONDAY, 5TH JANUARY, 1857.

The Speaker announced the following committee on enrolled bills: Messrs. Pearson, Strayhorn, Ward, Mabry and Houck.

The following memorials were introduced, read and disposed of as follows, viz:

By Mr. Meares: the memorial of George W. Reeves and others, of Brunswick county, concerning free negro mechanics. Table.

By Mr. Bethea: The memorial of James M. Turner and others, concerning the act to amend the charter of Harnett county. Referred to propositions and grievances.

The following entitled resolution and bill were reported upon as follows, viz:

H. R. 217, by Mr. Humphrey, from claims, unfavorably.

II. 81, by Mr. Settle, from constitutional reform, unfavorably.

The following resolutions were introduced, read and adopted, or otherwise disposed of, viz:

By Mr. Waddill: a resolution instructing the committee on the judiciary to enquire and report upon the propriety of ex-



tending the jurisdiction of single magistrates out of court to the amount of two hundred dollars.

By Mr. Hill of Halifax: "*Resolved*, That after Wednesday next, the House will adjourn at half past one P. M., and meet again at 3 P. M.; and that in the afternoon session it will only consider private bills and bills of a local nature, until the same shall all be disposed of."

Mr. Scott moved to amend by inserting "two o'clock" instead of "half past one o'clock," Mr. Settle moved to insert "three o'clock," and Mr. Sharp moved to lay the resolution and amendments upon the table; and this question being put it was not adopted,

Yeas ..... 15

Nays ..... 88

On motion of Mr. Hill of Halifax,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Baxter, Blow, Bright, Clarke, Eller, Gaiter, Jones, Leitch, Martin, Ogburn, Ramsour, Sharp, Stubbs, Waddill and White of Cabarrus.

And the following voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Bridgers, Bynum, Bullock, Cansler, Cotten, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Eborn, Elliott, Ferabee, Folk, Foster, Gentry, Gilliam, Glass, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Honck, Humphrey, Jarvis, Jenkins, Johnston, Kelly, Leach, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, Mason, Masten, Matthews, Meares, Montgomery, Moore, Mosely, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Scott, Settle, Siler, Slaughter, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Tate, Thompson, Toms, Ward, Waugh, White of Sampson, Whitson, Williamson, Wilson, Withers and Yancy.

The question was then put upon the amendment offered by Mr. Settle, and it was not adopted,

Yeas .....	32
Nays .....	73

On motion of Mr. Settle, the yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Blow, Bridgers, Bright, Clarke, Crump, Dancy, Eller, Folk, Gaither, Gilliam, Green, Houck, Kelly, Leach, Martin, Masten, Meares, Ogburn, Outlaw, Pearson, Pickett, Settle, Sharp, Slaughter, Speer, Stubbs, Waddill, Ward, Waugh and White of Cabarrus.

The following members voted in the negative, viz:

NAYS.—Messrs. Barnes, Bethea, Blanton, Bledsoe, Bynum, Bullock, Cansler, Cotten, Cox of Perquimons, Davidson, Dills, Eborn, Elliott, Ferebee, Foster, Gentry, Glass, Hackney, Harrell, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Johnston, Jones, Leitch, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, Mason, Matthews, Montgomery, Moore, Mosely, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Runley, Rushing, Sauls, Scales, Scott, Siler, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, White of Sampson, White of Bladen, Whitson, Williamson, Wilson, Withers and Yancy.

The question was then put upon the amendment of Mr. Scott, and it was not adopted.

Yeas .....	28
Nays .....	79

On motion of Mr. Scott,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Baxter, Blow, Bridgers, Bright, Clarke, Cox of Perquimons, Dills, Eller, Ferebee, Foster, Gaither, Gilliam, Harrell, Houck, Leach, Lewis of Nash, Mabry, March, Martin, Pearson, Pickett, Reeves, Richardson, Scott, Sharp, Speer, Waugh and White of Cabarrus.

The following members voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Blanton, Bled-

soe, Bynum, Bullock, Cansler Cotten, Crump, Dancy, Davidson, Eborn, Elliott, Folk, Gentry, Glass, Green, Hackney, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leitch, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mann, Mason, Masten, Matthews, Meares, Montgomery, Moore, Mosely, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rankin, Routh, Rumley, Rushing, Sauls, Scales, Settle, Siler, Slaughter, Southerland, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, White of Sampson, White of Bladen, Whitson, Williamson, Wilson, Withers and Yancy.

And the question recurred upon the resolution, and was put and

Decided in the affirmative—Yeas .....	95
Nays .....	10

On motion of Mr. Strayhorn,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Bridgers, Bright, Bynum, Bullock, Cansler, Cotten, Cox of Perquimons, Crump, Dancy, Dargan, Davidson, Dills, Eborn, Elliott, Ferebee, Folk, Foster, Gentry, Gilliam, Glass, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leitch, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, Mason, Masten, Matthews, Meares, Montgomery, Moore, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Scott, Settle, Siler, Slaughter, Southerland, Speer, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, Whitson, Williamson, Wilson, Withers and Yancy.

The following members voted in the negative, viz:

NAYS.—Messrs. Baxter, Blow, Clarke, Eller, Gaither, Martin, Sharp, Stubbs, White of Cabarrus and White of Bladen.



On motion of Mr. Outlaw,

*Resolved*, That the standing rules of this House be so amended that no debate shall be in order upon any proposition as to the time when the House shall meet or adjourn, nor upon any question as to the priority of the consideration of bills and resolutions.

On motion of Mr. Jenkins,

*Ordered*, That a message be sent to the Senate proposing that both Houses of the General Assembly adjourn without day on Monday the 26th instant, at 7½ o'clock, A. M., and the message being sent, the House were informed that the Senate concurred therein.

On motion of Mr. Gilliam,

Leave was granted him to file a substitute for H. 129, and to withdraw the original bill.

On motion of Mr. Stewart,

H. 228, was referred to propositions and grievances.

Bills of the following titles were introduced, read, passed the first reading, and were respectively referred or otherwise disposed of as follows, viz:

By Mr. Bledsoe: a bill (No. 310) to create a sinking fund, and for other purposes. Ordered to be printed and table.

By Mr. Pearson: a bill (No. 311) to charter the town of Burnsville, in the county of Yancy. To private bills.

By Mr. Richardson: a bill (No. 312) to amend the R. C., chapter 70, title Militia, s. 1. To military affairs.

By Mr. Hill of Stokes: a bill (No. 313) to charter the Salem and Germanton Railroad Company. To internal improvements.

The House then proceeded to consider bills on the second reading, when the following entitled bills, etc., were read the second time and disposed of as follows, viz:

H. 16, to diminish costs of suit and for other purposes; the question being, shall the substitute recommended by the committee pass the second reading? Mr. Badham moved to lay the question upon the table, and it was not adopted; and then the question was decided in the affirmative.

H. 20 and 34, passed over.

H. 37, to amend the R. C., chapter 64, title Widows, s. 3, did not pass the second reading, but was rejected.

H. 38, passed over.

H. 46, to divide Chatham county, did not pass the second reading, but was, on motion of Mr. Caldwell, indefinitely postponed.

H. 49, the bill of Mr. Rushing to repeal the R. C., chapter 36, title currency, s. 6; the question being, shall this bill pass the second reading; it was

Decided in the affirmative—Yeas .....	65
Nays .....	37

On motion of Mr. Gentry,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Bethea, Blanton, Bledsoe, Bynum, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Dargan, Dills, Eller, Elliott, Folk, Foster, Gaither, Gentry, Glass, Hackney, Harrell, Hester, Hill of Stokes, Houck, Humphrey, Jones, Kelly, Leach, Leitch, Lewis of Nash, Little, Love, Lyon of Orange, Mann, Martin, Masten, Meares, Montgomery, Mosely, Ogburn, Patterson, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scott, Settle, Siler, Speer, Stewart, Stiles, Strayhorn, Tate, Tomlinson, Toms, Waddill, Waugh, White of Cabarrus, Whitson, Williamson, Wilson and Yancy.

The following members voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Baxter, Blow, Bridgers, Bright, Bullock, Dancy, Davidson, Eborn, Ferebee, Gilliam, Green, Hargrove, Hill of Halifax, Jarvis, Jenkins, Jennett, Johnston, Long, Lyon of Granville, Mason, Moore, Outlaw, Outerbridge, Parker, Pitchford, Rand, Rumley, Sauls, Scales, Slaughter, Speight, Stubbs, Thompson, Ward and Withers.

H. 51, passed over.

H. 52, to preserve the reputation of the State; the question being shall this bill pass the second reading? Mr. Lewis of N., moved that the same be indefinitely postponed, and it was not agreed to. Mr. Baxter moved to refer the same to the committee upon constitutional reform, and it was not

agreed to. Mr. Scott moved it be made the special order for the 25th December, 1857, and it was not agreed to. Mr. Stubbs moved it be postponed until Saturday next, and it was not agreed to; and the question recurring, it was decided in the negative. So this bill did not pass the second reading, but was rejected; and then

On motion of Mr. Blow,  
And at 1 o'clock and 40m., the House adjourned.

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TUESDAY, 6TH JANUARY, 1857.

H. 115, was on motion of Mr. Thompson, restored to its place on the calendar.

On motion of Mr. Humphrey,

A message was sent to the Senate proposing at half-past 11 o'clock, to elect trustees for the University.

The following memorials were introduced, read and referred, or disposed of as follows, viz:

By Mr. Stiles: the memorial of James W. Shear and other citizens of the county of Cherokee, praying the General Assembly to grant William Miles certain corporate privileges. Table.

By Mr. Caldwell: the memorial of James J. Litchford and ten other citizens of the city of Raleigh, opposed to the extension of the same.

By Mr. Bledsoe: the memorial of William Boylan and 117 others, residents of the suburbs of the city of Raleigh, against the same extension.

By Mr. Dills: the memorial of William Zachary and others, concerning the dividing line between Macon and Jackson counties. To propositions and grievances.

By Mr. Siler: the memorial of Thomas P. Moore and others, upon the same subject. To propositions and grievances.

The bills, etc., of the following titles were reported upon as follows, viz:

H. 11, by Mr. Hill of H., from corporations and currency, unfavorably.



H. R. 79, by Mr. Humphrey, from claims unfavorably.

H. R. 106, by the same, from the same committee, unfavorably.

H. 220, by Mr. Hill of H., from corporations and currency, unfavorably.

S. 228, by Mr. Hargrove, from propositions and grievances, favorably.

H. 251, by Mr. Waugh, from private bills, together with the memorial of John Laughter and others, favorably.

H. 265, by Mr. Hargrove, from propositions and grievances, favorably.

H. 297, by the same, from the same committee, favorably.

H. 292, by Mr. Hill of H., from corporations and the currency, favorably.

H. 300, by Mr. Hargrove, from propositions and grievances, with amendments, and favorably.

H. R. 301, by the same, from the same committee, favorably.

H. 311, by Mr. Waugh, from private bills, with the memorial of Finley Laws, and a substitute.

H. 2, by Mr. Baxter, from the select committee upon the Peoples' Bank, with amendments; which were ordered to be printed. Mr. Bledsoe, from the minority of the same committee, asked for and obtained further time to report.

The following resolutions were introduced, read and adopted, referred, or otherwise adopted as follows, viz:

By Mr. White of Cabarrus: *Resolved*, That his Excellency, the Governor, be requested to communicate to the House the names of the persons appointed by him commissioners of revenue under the revenue act.

By Mr. Humphrey: *Resolved*, That the committee on corporations and the currency be instructed to enquire into the expediency of causing the banks of this State to make their reports at the same time.

By Mr. Rushing: *Resolved*, That the committee on military affairs be instructed to report a bill providing for the attaching of a certain regiment of foot in the first division to the same brigade with the Union regiment.

By Mr. Badham: *Resolved*, That from and after the 12th January, no new bills of a public nature be introduced. Laid over.

Bills and joint resolutions of the following titles were introduced, read, passed the first reading, and were respectively referred or filed for the second reading, viz :

By Mr. Humphrey: a joint resolution (No. 314) in favor of William Peace.

By Mr. McIntosh: a joint resolution (No. 315) in favor of the United Baptist Institute, at Taylorsville. To education.

By Mr. Jenkins: a bill (No. 316) to amend the R. C., chapter 17, title Cattle and other Stock, s. 7. To judiciary.

By Mr. Reeves: a bill (No. 317) to amend the R. C., chapter 69, title Members of Congress, s. 3. Ordered to be printed.

By Mr. Thompson: a bill (No. 318) to complete the N. C. and Atlantic Railroad Company.

By Mr. Gilliam: a bill (No. 319) to charter the Greensborough Land Company. To corporations and the currency.

By Mr. Harrell: a bill (No. 320) concerning the wardens of the poor in Rutherford county.

By Mr. Rand: a bill (No. 321) to revive the charter of the Neuse River Manufacturing Company and for other purposes.

By Mr. Clarke: a bill (No. 322) to amend the R. C., chapter 79, title Ordinaries and Inns, s. 6.

By Mr. Sharpe: a bill (No. 323) to amend the R. C., chapter 107, title, Slaves, etc., s. 71. To judiciary.

By Mr. Eller: a bill (No. 324) to charter a public road in the county of Ashe. To internal improvements.

By Mr. Jennett: a bill (No. 325) to amend the R. C., chapter 120, title Wrecks, s. 2. To judiciary.

By Mr. Folk: a bill (No. 326) to alter the county line between Watauga and Wilkes.

The House then proceeded to consider bills on the calendar for the second reading, when the following entitled bills, etc., being read the second time, were disposed of as follows, viz :

H. 38, to establish the county of Graham did not pass the

second reading, but was on motion of Mr. Jenkins, indefinitely postponed.

Yeas ..... 65  
Nays ..... 46

On motion of Mr. Sharp,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS—Messrs. Badham, Barnes, Blanton, Bledsoe, Blow, Bridgers, Bright, Bullock, Cansler, Cox of Jones, Cox of Perquimons, Dancy, Davidson, Ferebee, Gilliam, Green, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mann, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rankin, Rumley, Rushing, Sauls, Scott, Slaughter, Smallwood, Southerland, Speight, Strayhorn, Stubbs, Tate, Thompson, Ward, White of Sampson, Williamson and Withers.

The following voted in the negative, viz :

NAYS.—Messrs. Baxter, Bethea, Bynum, Clarke, Cotten, Crump, Dills, Eller, Elliott, Folk, Foster, Gaither, Gentry, Glass, Hackney, Hall, Houck, Leach, Little, Love, Mabry, March, Martin, McIntosh, Meares, Ogburn, Pearson, Pickett, Reeves, Richardson, Routh, Scales, Settle, Sharp, Siler, Speer, Stewart, Stiles, Toms, Waddill, Waugh, White of Cabarrus, White of Bladen, Whitson, Wilson and Yancy.

H. 53, was, on motion of Mr. Gilliam, referred to the judiciary.

H. 55, the bill of Mr. Elliott, concerning small notes; the question being shall this bill pass the second reading? Mr. Badham moved to postpone the same indefinitely, but withdrew when Mr. Elliott moved to amend; whereupon, Mr. Jenkins moved the bill and amendment be indefinitely postponed; and this question was put, and

Decided in the negative—Yeas ..... 33  
Nays ..... 81

On motion of Mr. Elliott,



The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Benbury, Blow, Bridgers, Bright, Bullock, Cotten, Eborn, Ferebee, Hargrove, Hester, Hill of Halifax, Jarvis, Jenkins, Jennett, Johnston, Kelly, Lewis of Wake, Lyon of Orange, Lyon of Granville, Mason, Outlaw, Outerbridge, Parker, Pitchford, Rand, Slaughter, Speight, Stubbs, Thompson, Ward, White of Bladen and Withers.

And the following voted in the negative, viz :

NAYS.—Messrs. Barnes, Baxter, Bethea, Blanton, Bledsoe, Bynum, Caldwell, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Crump, Davidson, Dills, Eller, Elliott, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Green, Hackney, Hall, Harrell, Hill of Stokes, Houck, Holmes, Humphrey, Jones, Leach, Lewis of Nash, Little, Long, Love, Mabry, Mann, March, Martin, Masten, Matthews, McIntosh, Meares, Montgomery, Moore, Morrison, Mosely, Ogburn, Patterson, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Scott, Settle, Sharp, Siler, Smallwood, Southerland, Speer, Stewart, Stiles, Strayhorn, Tate, Toms, Waddill, Waugh, White of Sampson, White of Cabarrus, Whitson, Williamson, Wilson and Yancy.

So the House refused to postpone the question indefinitely, and it recurred. Mr. Elliott asked leave to withdraw the amendment, and leave was not granted ; and the question was then put upon the amendment, and

Decided in the negative—Yeas .....	50
Nays .....	61

On motion of Mr. Folk,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Benbury, Bledsoe, Blow, Bridgers, Bright, Bullock, Cotten, Cox of Perquimons, Eborn, Ferebee, Gilliam, Green, Hargrove, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mann, Mason, Moore, Outlaw, Outerbridge, Parker, Pitchford, Rand, Rumley, Sauls, Scales, Settle, Slaughter,

Southerland, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Ward, White of Bladen and Withers.

The following voted in the negative, viz :

NAYS.—Messrs. Barnes, Baxter, Bethea, Blanton, Bynum, Caldwell, Cansler, Clarke, Crump, Davidson, Dills, Eller, Elliott, Folk, Foster, Gaither, Gentry, Glass, Hackney, Hall, Harrell, Hester, Hill of Stokes, Houck, Jones, Leitch, Little, Love, Mabry, March, Martin, Masten, Matthews, McIntosh, Meares, Montgomery, Morrison, Mosely, Ogburn, Patterson, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scott, Siler, Smallwood, Speer, Stiles, Toms, Waddill, Waugh, White of Sampson, White of Cabarrus, Whitson, Williamson and Yancy.

And the question recurred upon the passage of the bill. Mr. Gilliam moved, by way of amendment, to add a proviso at the end of the first section, and it was not agreed to.

Yeas ..... 51

Nays ..... 57

On motion of Mr. Gilliam,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Benbury, Blow, Bridgers, Bright, Byrum, Bullock, Clarke, Davidson, Ferebee, Gilliam, Green, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jenkins, Jennett, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Lyon of Orange, Lyon of Granville, Mason, Montgomery, Moore, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Rand, Rumley, Sauls, Scales, Settle, Slaughter, Smallwood, Southerland, Speight, Stewart, Strayhorn, Stubbs, Thompson, Ward, Wilson and Withers.

And the following voted in the negative, viz :

NAYS.—Messrs. Baxter, Bethea, Blanton, Caldwell, Cansler, Cox of Perquimons, Crump, Dills, Eller, Elliott, Folk, Foster, Gaither, Gentry, Glass, Hackney, Harrell, Houck, Jarvis, Jones, Leach, Leitch, Little, Long, Love, Mabry, Mann, March, Martin, Masten, Matthews, McIntosh, Meares, Morrison, Ogburn, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scott, Sharp, Siler, Speer, Stiles,





So the amendment prevailed, and the question recurred, when,

On motion of Mr. Bledsoe,

The calendar being suspended, the House proceeded in his motion to reconsider the vote by which

H. 37, to amend the Revised Code, chapter 64, title Widows, s. 3, was rejected, and the question thereon was put, and it was not adopted. So the House refused to reconsider; and then,

On motion of Mr. Settle,

And at 1 o'clock and 55m., adjourned.

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WEDNESDAY, 7<sup>TH</sup> JANUARY, 1857.

The following bills, etc., were reported upon as follows, viz:

H. 113, by Mr. Houck, from military affairs, with a substitute.

H. 172, by Mr. Jenkins, from judiciary, unfavorably.

H. 174, by Mr. Thompson, from the same committee, with a substitute.

H. R. 218, by Mr. Hargrove, from propositions and grievances, favorably.

H. 219, by the same, from the same, unfavorably.

H. 223, by Mr. Stubbs, from the judiciary, favorably.

H. 224, by Mr. Hargrove, from propositions and grievances, favorably.

H. 235, by Mr. Thompson, from the judiciary, unfavorably.

H. 241, by Mr. Hill of H., from corporations and currency, unfavorably.

H. 242, by Mr. Hargrove, from propositions and grievances, unfavorably.

H. 254, by the same, from the same, unfavorably; whereupon,

Mr. Pickett moved to recommit the bill, but it was not adopted.

H. 258, by Mr. Jenkins, from the judiciary, unfavorably.

H. 264, by Mr. Stubbs, from the same committee, favorably.

H. 291, by Mr. Hargrove, from propositions and grievances, favorably.

H. 297, by the same, from the same committee, unfavorably.

H. 304, by Mr. Humphrey, from public grounds and building, favorably.

H. 306, by Mr. Jenkins, from judiciary, favorably.

H. 319, by Mr. Hill of H., from corporations and the currency, with sundry amendments.

H. 325, by Mr. Jenkins, from judiciary, unfavorably.

H. 323, by Mr. Stubbs, from the same committee, unfavorably.

On motion of Mr. Mason,

H. 244 was reported unfavorably by the committee on internal improvements, and a substitute therefor filed and referred to the same committee.

On motion of Mr. Rushing,

The committee on military affairs were discharged from the consideration of his resolution concerning the militia of Union county.

On motion of Mr. Mann,

The committee on the judiciary were discharged from the further consideration of

H. 63, and a substitute therefor filed for the second reading.

On motion of Mr. Routh,

He had leave to withdraw from the files,

H. 196, and to file a substitute therefor.

On motion of Mr. Bledsoe,

H. 310, was referred to the committee on finance.

On motion of Mr. Badham,

The House proceeded to consider his resolution of yesterday, concerning the introduction of bills, etc., when Mr. Outlaw moved to lay the same upon the table; and the question being put thereon, it was

Decided in the negative—Yeas ..... 49

Nays ..... 63

On motion of Mr. Badham,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Benbury, Blow, Bridgers, Bynum, Caldwell, Clarke, Crump, Dargan, Dills, Eller, Elliott, Foster, Gaither, Green, Hackney, Hester, Houck, Jones, Leach, Lewis of Wake, Lewis of Nash, Little, Love, Mabry, Mann, March, Martin, Matthews, McIntosh, Meares, Moore, Ogburn, Outlaw, Pickett, Rand, Reeves, Routh, Rumley, Scott, Sharp, Speer, Stiles, Stubbs, Waddill, Ward, White of Cabarrus, White of Bladen and Whitson.

And the following voted in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Bright, Cansler, Cox of Jones, Cox of Perquimons, Dancy, Davidson, Eborn, Ferebee, Folk, Gentry, Glass, Hall, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Kelly, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Montgomery, Morrison, Mosely, Outerbridge, Patterson, Pearson, Pitchford, Ramsour, Rankin, Richardson, Rushing, Sauls, Settle, Siler, Slaughter, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Toms, Waugh, White of Sampson, Williamson, Wilson, Withers and Yancy.

So the House refused to lay the resolution on the table. Mr. Houck then moved to amend by inserting the "twentieth" for the "twelfth" day of January, and the question thereon was put and it was not adopted; and the question recurring upon the resolution, it was put and decided in the negative; upon a division, there being counted

In the affirmative 42 votes,

In the negative 57 votes.

Mr. Badham then moved that from and after the 26th inst. the members of this Legislature shall not be allowed the usual per diem. Mr. Hill of Stokes moved to amend as follows: Provided that the Legislature adjourn upon that day, and the said members perform no service; and the question being thereon, was,

On motion of Mr. Cotten,



Laid upon the table.

On motion of Mr. Reeves,

*Ordered*, That a message be sent to the Senate, proposing at half past 12 o'clock to proceed to the election of five Trustees for the University.

Mr. Hall presented the petition of John I. Shaver and 100 other citizens of Salisbury and Rowan county, praying the passage of the bill to charter the People's Bank. Mr. Houck moved that the petition be printed, and it was not agreed to.

Bills and joint resolutions of the titles following were introduced, read, and passed the first reading, and were filed for the second reading or referred as follows, viz :

By Mr. Hill of H.: a bill (No. 327) concerning bank statements.

By Mr. Martin: a joint resolution (No. 328) in favor of John Alexander and others. To claims.

By Mr. Leach: a joint resolution (No. 329) in favor of E. D. Hampton. To claims.

By Mr. Holmes: a bill (No. 330) concerning cotton and wheat inspections in the town of Wilmington. To propositions and grievances.

By Mr. Mann: a bill (No. 331) to repeal an act regulating seine fisheries in the counties of Camden and Pasquotank.

By Mr. Jones: a bill (No. 332) to exempt overseers of roads from militia duty.

By Mr. Rushing: a bill (No. 333) to regulate the militia in Union county.

By Mr. Reeves: a bill (No. 334) to improve certain roads in Surry county, with the memorial of E. M. Creed and others. To internal improvements.

By Mr. Cox of Perquimons: a bill (No. 335) to amend the R. C., chapter 34, title Crimes and Punishments, s. 37. To judiciary.

The House then proceeded to consider the unfinished business of yesterday :

H. 55, Mr. Elliott's bill to authorize the banks of this State to issue small notes; the pending question being: "Shall this

bill pass the second reading?" Mr. Mann offered the following amendment, viz:

"*Be it further enacted, etc.*, That each bank corporation issuing small notes under the provision of this act, shall annually pay into the public treasury a tax of one-half of one per cent. upon the amount of capital actually invested in such small notes."

And the question being thereon, it was not adopted. Mr. Baxter moved to strike out all after the word "provided" in the first section, and insert as follows, viz:

"1. At no time shall a greater amount than ten per cent. of the circulation of the several banks be in notes or bills of a denomination less than five dollars. 2. The same shall be redeemed with gold or silver at the principal bank issuing the same or at any of its branches when presented for payment, notwithstanding it may be otherwise expressed on the face of said bills or notes. 3. And the General Assembly may at any future session forbid the issuing or circulation of notes or bills under the denomination of five dollars."

Mr. Baxter also moved to insert the following as an additional section, viz:

"SEC. 6. The provision in the charter of the Bank of Cape Fear, the Bank of Wilmington, and the Bank of Clarendon, restricting the State from levying a greater tax on the stock of said banks than that imposed on shares in such other banks as may have been chartered at the last and such as may be chartered at some succeeding session of the General Assembly be, and the same are, by and with the consent of said corporations, hereby repealed, and the provisions of the preceding sections of this act shall not extend to the several banks enumerated in this section until by a general vote of the stockholders they shall assent to the repeal as herein provided, and the same is certified under the seal of the corporation, signed by the president and cashier of said banks respectively, and forwarded to, and filed with the Secretary of State."

The question being, shall these amendments be adopted, Mr. Rushing moved to amend the same as follows, viz:

Strike out the word "five," in the last line of clause 1, and insert the word "three."

And it was not adopted. The question recurring upon the amendments, Mr. Elliott demanded a division, and it was first put upon striking out the proviso in the first section of the bill, and agreed to; then the question being upon the insertion of the amendments,

On motion of Mr. Baxter,

The question was stated separately upon the two amendments, and severally upon the three propositions of the first amendment. Thus ordered, the question being upon clause 1 of amendment 1, it was put and

Decided in the affirmative—Yeas .....	105
Nays .....	11

On motion of Mr. Baxter,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Dargan, Davidson, Dills, Eborn, Eller, Ferebee, Gaither, Gentry, Gilliam, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leitch, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Scott, Settle, Sharp, Siler, Slaughter, Smallwood, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Cabarrus, Whitson, Williamson, Wilson, Withers and Yancy.

The following voted in the negative, viz:

NAYS.—Messrs. Elliott, Folk, Leach, Little, Martin, McIntosh, Meares, Ogburn, Pickett, Waddill and White of Bladen.

The question being upon clause 2 of the same amendment,



it was adopted; and the question being upon clause 3 of the same amendment, it was adopted; and the question being upon the amendment No. 2, Mr. Hill of Halifax offered the following amendment, viz:

“*Be it further enacted, etc.,* That all banks which are now chartered shall, before they be allowed to avail themselves of the provisions of this act, surrender to the General Assembly all restrictions which their charters now contain upon taxation by the authority of the State.”

And the question thereon was put, and it was not agreed to.

Yeas ..... 38

Nays ..... 74

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Benbury, Blow, Bridgers, Bright, Bullock, Cox of Jones, Dancy, Davidson, Eborn, Ferebee, Gilliam, Green, Hargrove, Hill of Halifax, Jarvis, Jenkins, Jennett, Johnston, Lewis of Wake, Lewis of Nash, Lyon of Granville, Mason, Moore, Outlaw, Outerbridge, Parker, Pitchford, Rand, Sauls, Slaughter, Speight, Stubbs, Tate, Thompson, Ward and Withers.

The following members voted in the negative, viz:

NAYS.—Messrs. Barnes, Baxter, Bethea, Blanton, Bledsoe, Bynum, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Dills, Eller, Elliott, Folk, Foster, Gaither, Gentry, Glass, Hackney, Harrell, Hester, Hill of Stokes, Houck, Humphrey, Jones, Kelly, Leach, Leitch, Little, Long, Love, Lyon of Orange, Mabry, Mann, March, Martin, Masten, Matthews, McIntosh, Meares, Montgomery, Morrison, Mosely, Ogburn, Patterson, Pearson, Pickett, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Scott, Settle, Sharp, Siler, Smallwood, Southerland, Speer, Stewart, Stiles, Strayhorn, Tomlinson, Toms, Waddill, Waugh, White of Sampson, White of Cabarus, Whitson, Williamson, Wilson and Yancy.

The question recurring upon the amendment, it was put and decided in the affirmative; and the question being “shall the bill so amended pass the second reading?” Mr. Elliott

moved to amend the first line of section three by inserting the words "six and" after the word "section," and before the word "seven," and it was adopted, and the question recurred ;

Pending which,

A message was received from the Senate, proposing that instead of half past 12 o'clock, the vote be taken forthwith for trustees of the University ; and the question being upon concurring therein,

At 1 o'clock and 5m., Mr. Martin moved the House do now adjourn ; and the question was put, and it was not adopted ; the question was then put upon the proposal of the Senate, and it was rejected ; then the question on the bill recurred and was put, and

Decided in the affirmative—Yeas .....	61
Nays .....	43

On motion of Mr. Elliott,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Baxter, Bethea, Blanton, Bynum, Caldwell, Cansler, Clarke, Crump, Dills, Eller, Elliott, Folk, Foster, Gaither, Gentry, Glass, Hackney, Hall, Harrell, Houck, Jones, Leach, Leitch, Little, Long, Love, Mabry, Mann, March, Martin, Masten, Matthews, McIntosh, Morrison, Mosely, Ogburn, Pearson, Pickett, Ramsour, Rankin, Richardson, Routh, Rushing, Scott, Sharp, Siler, Smallwood, Speer, Stewart, Stiles, Tomlinson, Toms, Waddill, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson and Yancy.

The following members voted in the negative, viz :

NAYS.—Messrs. Badham, Benbury, Blow, Bridgers, Bright, Bullock, Cotten, Cox of Jones, Dancy, Dargan, Davidson, Eborn, Ferebee, Gilliam, Green, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Lyon of Orange, Lyon of Granville, Mason, Montgomery, Moore, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Rand, Reeves, Runley, Sauls, Scales, Settle, Slaughter,

Southerland, Speight, Strayhorn, Stubbs, Tate, Thompson, Ward, Waugh and Withers.

Pulaski Cowper, Esq., Private Secretary, was announced with messages from the Governor, and the messages read. In reply to the resolution of the House upon that subject, his Excellency stated that by reason of a defect in the statute concerning the appointment of commissioners of revenue, none had been appointed, and recommended the proper legislation upon the subject. The Governor further informed the House that 125 copies of the Report of the State Geologist was in his hands, subject to the order of the General Assembly.

The Speaker submitted a letter from the Public Treasurer with additional statements from the banks at Yanceyville and Charlotte; which,

On motion of Mr. Stubbs,

Were with the Governor's message concerning the report of the State Geologist, sent to the Senate.

On motion of Mr. Scales,

The use of the hall was granted the committee upon education, and Calvin H. Wiley, Esq. for a lecture and report upon common schools, etc., this evening, from 7 o'clock; and then,

On motion of Mr. Leach,

And at 2 o'clock and 12m. the House adjourned.

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#### THURSDAY, 8TH JANUARY, 1857.

Mr. Badham moved that a message be sent to the Senate proposing to proceed forthwith to elect five trustees for the University. Mr. Ferebee moved to amend by inserting "3 o'clock this afternoon" instead of "forthwith." Mr. Stubbs moved to lay the motion and amendment on the table, and the question thereon was put and

Decided in the negative—Yeas ..... 44

Nays ..... 67

On motion of Mr. Badham,



The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Bynum, Caldwell, Cotten, Cox of Perquimons, Crump, Dargan, Eborn, Eller, Elliot, Ferebee, Folk, Foster, Gaither, Gilliam, Hackney, Harrell, Houck, Jennett, Leach, Leitch, Little, Mabry, March, Martin, McIntosh, Meares, Ogburn, Outlaw, Pickett, Richardson, Rumley, Scott, Sharp, Siler, Slaughter, Speer, Styles, Stubbs, Waddill, White of Cabarrus, White of Bladen, Whitson and Wilson.

The following members voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bullock, Cansler, Clarke, Cox of Jones, Dancy, Davidson, Dills, Gentry, Glass, Green, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnson, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Montgomery, Moore, Morrison, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Ronth, Rushing, Sauls, Scales, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, Williamson, Withers and Yancy.

So the House refused to lay the motion of Mr. Badham on the table, and the question thereon recurred; pending which,

A message was announced from the Senate proposing to vote forthwith for Trustees of the University, and the question being thereon, the House concurred; whereupon, Mr. Badham withdrew his motion.

The House then proceeded to vote, under the superintendence of Messrs. Scales and Foster, the following being in nomination, viz: Thomas Settle, jr., Robert A. Hamilton, William W. Holden, Richard Dillard, J. Francis E. Hardy, Samuel H. Christian, James M. Sprunt, A. Baker, Daniel Coleman and Charles F. Deems.

On motion of Mr. Jenkins,

Mr. Green was appointed to serve upon the committee on the judiciary.

The several enrolled bills and resolutions of the titles following were signed by the Speaker, viz:

H. 15, to amend the R. C., chapter 45, title Executors, section 8.

H. 22, to declare the meaning of that part of the R. C. which relates to fire hunting.

H. 35, to amend and consolidate the acts of Assembly relating to the charter of the Jonathan's Creek and Tennessee Mountain Turnpike Company, in the county of Haywood.

H. R. 42, in favor of Bedford Sherrill of Buncombe county.

H. R. 43, in favor of William R. Baird.

H. R. 44, in favor of John Foster.

H. 76, to charter the Macon County Turnpike Company.

H. 77, to charter the town of Troy, in the county of Montgomery.

H. 93, to authorise and empower the securities of James A. Brown, late sheriff of Pitt county, to collect arrears of taxes due for the years 1852-'53.

H. R. 105, in favor of James Blevins.

H. 148, to charter the town of Rockingham, in the county of Richmond.

H. R. 151, in favor of the clerk of the county court of Halifax.

H. 192, to change the name of the town of New Institute, in the county of Iredell.

H. 253, to charter the town of Yadkinsville, in Yadkin county.

The following petitions and memorials were introduced, read and disposed of as follows, viz:

By Mr. Clarke: the memorial of Luke Hendricks and others concerning the county line between Caldwell and Wilkes. Filed with No. 338.

By Mr. March: the petition of Thomas Wilson and others praying an alteration in the terms time of the superior courts of Union and Davie. Filed with No. 345.

By Mr. Blanton: the petition of D. Froneberger and others for jury trials in Cleveland. Filed with No. 339.

By Mr. Clarke: the petition of Abner Bolick and others,

for aid to a public road in Watauga and Caldwell. Filed with No. 341.

The several enrolled Senate bills and resolutions of the titles following, were signed by the Speaker, viz:

S. 92, to provide for the better securing costs in the action of ejectment.

S. 159, to amend the charter of the Fayetteville and Western Plankroad Company.

S. R. 180, in favor of David L. Swain, Historical Agent.

S. R. 182, in favor of John H. DeCarteret and son.

S. 213, to charter the town of Thomasville, in the county of Davidson.

S. 214, to amend the charter of the Western Plankroad Company.

S. 245, a supplemental bill to take the sense of the people relative to S. 73, proposing an amendment to the Constitution.

S. 247, concerning the Savings Bank at Wilmington.

S. 274, to authorize plankroad companies, etc., to use stone and gravel.

S. 276, to secure the holders of coupon bonds.

Mr. Hargrove, from the committee on propositions and grievances, to whom had been referred the petition of William Zachary and others, concerning Jackson county line, reported the same back to the House and recommended that no action thereon be had; also, the petition of D. M. Buie and others and Daniel McNatt and others, concerning the county line between Cumberland and Robeson counties; also, the petition of Alberto Higgins and others, opposed to the division of McDowell county, with a like recommendation.

Reports were submitted and bills, etc., reported from several committees, as follows, viz:

H. 2, by Mr. Green, from a minority of the special committee upon the People's Bank, recommending that it do not pass. Ordered to be printed.

H. 60, by Mr. Gilliam, from judiciary, with a substitute.

H. 176, by Mr. Jenkins, from the same committee, unfavorably.



H. 229, by Mr. Meares, from internal improvements, unfavorably.

H. 221, by Mr. Gilliam, from judiciary, unfavorably.

H. 237, by Mr. Love, from education, favorably.

H. 240, by Mr. Hill of H., from corporations and currency, with amendments.

H. 243, by Mr. Meares, from internal improvements, favorably. Also,

H. 244, by the same, from the same committee, favorably.

H. 262, by Mr. Love, from education, favorably.

H. 283, by Mr. Gilliam, from judiciary, unfavorably.

H. R. 302, by Mr. Humphrey, from claims, favorably.

H. 226, by Mr. Benbury, from propositions and grievances, unfavorably.

On motion of Mr. Lewis of W.,

The use of the hall was granted the Oak-City Guards for a lecture on Friday night, from 7 o'clock.

Bills and joint resolutions of the following titles were introduced, read, passed the first reading, and were filed for the second reading, referred, or otherwise disposed of as follows, viz:

By Mr. Stiles: a joint resolution (No. 336) in favor of Lewis N. Payne.

By Mr. Hill of S.: a joint resolution (No. 337) concerning the report of the geological survey.

By Mr. Clarke: a bill (No. 338) to alter the line between Wilkes and Caldwell.

By Mr. Blanton: a bill (No. 339) to restore jury trials in the county of Cleveland.

By Mr. Scott: a joint resolution (No. 340) in favor of Woodbine Female Academy. To education.

By Mr. Clarke: a bill (No. 341) to establish a public road in Caldwell and for other purposes. To internal improvements.

By Mr. Bethea: a bill (No. 342) to charter a fire company in Rockfish village, in Cumberland.

By Mr. Ferebee: a bill (No. 343) to charter the Southern

Air Line Company. Ordered to be printed and referred to internal improvements.

By Mr. Eller: a bill (No. 344) to charter New Hope Institute, in Wilkes. To education.

By Mr. March: a bill (No. 345) to alter the time of holding court in Davie.

By Mr. Eborn: a bill (No. 346) to provide a special magistrate for the town of Bath, in the county of Beaufort.

By Mr. Meares: a bill (No. 347) to charter the Sapora Mining and Manufacturing Company. To corporations and currency.

By Mr. Slaughter: a bill (No. 348) to charter the Greenwood and Murfreesboro' Railroad Company.

By Mr. Gaither: a bill (No. 349) to prevent the felling of timber in South Yadkin river, in Yadkin. To propositions and grievances.

By Mr. Clarke: a bill (No. 350) to charter the Mountain Railroad Company. Ordered to be printed, and referred to internal improvements.

By Mr. Folk: a bill (No. 351) to change the time of holding court in Wilkes.

The following engrossed bills and resolution were received from the Senate, read, passed the first reading, and entered upon the calendar for the second reading, viz:

No. 352, a bill concerning the North-Carolina Railroad coupon bonds:

No. 353, a bill to amend the charter of the Cheoi Turnpike Company;

No. 354, a bill to amend the charter of the Bank of Wilmington;

No. 355, a bill to charter the town of Columbus;

No. 356, a bill to extend the charter of the New Garden Boarding School, and for other purposes;

No. 357, a bill to charter the Warrenton Female College;

No. 358, a bill to charter the North-Carolina Gas Coal and Transportation Company;

No. 359, a bill to authorize the examination of the wife in certain cases; and

No. 360, a joint resolution in favor of John M. Morehead and William H. Arendell.

On motion of Mr. Ferebee,

H. R. 337, concerning the distribution of the Report of the State Geologist was taken up, read the second and third times, passed the second and third readings, and ordered to be engrossed and sent to the Senate.

Mr. Meares moved, that

H. 16, be made the special order for to-morrow, at 11 o'clock; and the question thereon was put, and it was not adopted.

Mr. Cansler moved, that

H. 8, be made the special order for Monday next, at 11 o'clock; and it was so ordered.

Mr. Gentry moved that H. 32 be made the special order for Tuesday next, at 11 o'clock; and it was not adopted; whereupon Mr. Folk moved it be made the special order for Wednesday next, at 11 o'clock, and it was so ordered.

By a message from the Senate the House were informed of the passage in that body of the House Bill No. 110, to prevent the felling of timber in Enoe river, with certain amendments, in which they asked the concurrence of the House, and the House concurred therein; also, that they had rejected the House Bill No. 175, for the emancipation of William, a slave; also that they proposed a joint select committee to provide for the distribution of the Report of the State Geologist. The House concurred. Also, that they had passed the House Bill No. 23, to charter Holly Springs High School, in the county of Wake, with the following amendment, viz :

Add to section 2 the following words, viz: "to any teacher or pupil of said school." The House refused to concur in this amendment. Also, that they had postponed until the 4th day of March next the House Bill No. 36, to establish the standard bushel of wheat, rye, etc.

On motion of Mr. Bledsoe,

S. 352, an engrossed bill from the Senate concerning the Coupon Bonds of the N. C. Railroad Company, was read the second time and the question put "shall this bill pass the



second reading?" pending which, the hour for the adjournment arrived, and the House adjourned.

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AFTERNOON SESSION, THURSDAY, 8TH JANUARY.

Pursuant to the rule adopted, the House reassembled this afternoon at 3 o'clock, and proceeded with bills on the second reading, as follows, viz:

H. 63, concerning tales jurors and witnesses in Pasquotank, being read the second time, and the question put "shall this bill pass the second reading?" Mr. Morrison moved to amend as follows:

*Provided however,* That such tales jurors only as actually serve upon the jury, shall be entitled to the provisions of this act.

And it was adopted. And the bill then passed the second reading.

On motion of Mr. Mann,

The bill was read the third time, and the question put "shall the bill pass?" when Mr. Benbury moved to amend by including Tyrrel and Brunswick counties, pending which,

On motion of Mr. Gilliam,

The bill and amendments were laid upon the table.

Mr. Foster, from the committee to superintend the election of trustees for the University, reported as follows: There were 152 votes cast, of which 77 were necessary to a choice. Thomas Settle, jr., received 97 votes; R. A. Hamilton, 79 votes; W. W. Holden, 93 votes; Dr. R. Dillard, 93 votes; J. F. E. Hardy, 83 votes; Samuel H. Christian, 64; Mr. Sprout, 8; Mr. Baker, 14; Mr. Coleman, 10; Mr. Deems, 19; Mr. Barringer, 9; Mr. Bingham, 23; Mr. Wiggins, 12; Mr. Richardson, 3; Mr. Drake, 10; Scattering, 89; and that Messrs. Settle, Hamilton, Holden, Dillard and Hardy, having received a majority of all the votes cast, were duly elected. The House concurred.

On motion of Mr. Shepherd,

S. 228, to amend the charter of Harnett county, was read

the second time and amended so as to strike out the words "captain's districts" and insert in lieu thereof the words "election districts," and the question being "shall this bill pass the second reading?" it was

Decided in the negative—Yeas ..... 46  
Nays ..... 59

On motion of Mr. Stewart,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Benbury, Blanton, Bledsoe, Bridgers, Bullock, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Crump, Dills, Elliott, Gentry, Hall, Hargrove, Hill of Stokes, Holmes, Humphrey, Jones, Kelly, Long, Lyon of Orange, Lyon of Granville, Mann, Masten, Montgomery, Moore, Outlaw, Outerbridge, Pearson, Pitchford, Ramsour, Rand, Rankin, Rumley, Sauls, Scales, Settle, Smallwood, Speight, Stewart, Strayhorn, Stubbs, Thompson and Whitson.

And the following voted in the negative, viz :

NAYS.—Messrs. Barnes, Baxter, Bethea, Bynum, Caldwell, Cotten, Eborn, Eller, Ferebee, Folk, Gaither, Glass, Green, Hackney, Harrell, Hester, Houck, Jarvis, Jennett, Johnston, Leach, Leitch, Lewis of Wake, Lewis of Nash, Little, Love, March, Martin, Mason, Matthews, McIntosh, Meares, Morrison, Ogburn, Parker, Patterson, Pickett, Reeves, Richardson, Routh, Rushing, Scott, Sharp, Siler, Slaughter, Southerland, Speer, Stiles, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Williamson, Wilson and Yancy.

And then the House,

On motion of Mr. Mann,

And at 5 o'clock and 20m. adjourned.

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FRIDAY, 9TH JANUARY, 1857.

The following bills, etc., were reported upon as follows, viz :

H. 94, by Mr. Meares, from internal improvements, favorably.

H. 98, by Mr. Scales, from finance, favorably; also,

H. 199, by the same, from the same committee, with amendments.

H. 201, by Mr. Meares, from internal improvements, favorably.

H. 234, by Mr. Gilliam, from judiciary, favorably.

H. 266 and H. 278, by Mr. Leach, from judiciary, favorably.

H. 299, by Mr. Badham, from the same committee, unfavorably.

H. 309, by Mr. Lewis of W., from the same committee, unfavorably.

H. 315, by Mr. Scales, from education, favorably.

H. 335, by Mr. Leach, from judiciary, favorably.

H. 341, by Mr. Meares, from internal improvements, favorably.

Bills, etc., of the following titles were introduced, read, passed the first reading, and were respectively referred or filed for the second reading as follows, viz:

By Mr. Hall: a bill (No. 361) to prevent the felling of timber in Second and other creeks in Rowan county.

By Mr. Strayhorn: a bill (No. 362) to amend the R. C., chapter 83, title Patrol. To judiciary.

By Mr. Jones: a bill (No. 363) concerning the county courts. To the same committee.

By Mr. Hill of Halifax: a joint resolution (No. 364) in favor of Pulaski Cowper, Private Secretary.

By Mr. White of C.: a bill (No. 365) to charter the Concord and Fayetteville Railroad Company. To internal improvements.

By Mr. Davidson: a bill (No. 366) to repeal the R. C., chapter 61, s. 37, title Internal Improvements.

By Mr. Holmes: a bill (No. 367) to charter the Farmer's and Mechanic's Bank. To corporations and currency.

By Mr. Gilliam: a bill (No. 368) to amend the charter of Plymouth, in Washington county.



By Mr. Kelly: a bill (No. 369) to exempt the bonds of Craven, Carteret and Lenoir from taxation. To finance.

By Mr. March: a bill (No. 370) to establish a public road and ferry in Davie and Davidson. To propositions and grievances.

By Mr. Gentry: a bill (No. 371) to amend the laws of 1852-'53, chapter 151, concerning roads in the county of Ashe. To internal improvements.

By Mr. Ward: a bill (No. 372) to amend the R. C., chapter 88, title Processioners, s. 1. To judiciary.

By Mr. March: a bill (No. 373) to prevent the felling of timber in Dutchman's creek, in the county of Davie. To propositions and grievances.

From the Senate: an engrossed bill (374) for the relief of the Seaboard and Roanoke Railroad Company.

Mr. Waddill moved, that

No. 365 be printed, and the question thereon was put, and it was not adopted.

The following memorials were introduced, read, and disposed of as follows, viz:

By Mr. Meares: the memorial of R. M. C. Parker and others, of New Hanover county, praying for a mechanic's lien law. Filed with No. 51.

By Mr. Thompson: the memorial of Eldridge Smith and others, of Wake, praying the extension of the corporate limits of the City of Raleigh. Table.

By Mr. Holmes: the memorial of Charles Henry and others, of New Hanover, in favor of the Farmer's and Mechanic's Bank. Filed with No. 367.

Mr. Lewis of Wake, introduced the following:

*Resolved*, That from and after Monday next, the time of holding the sittings of this House shall be from 10 A. M. till 1 P. M., and from 7 P. M. till 10 P. M., and that the unfinished business of the morning session shall be continued during the evening session.

Mr. Leach, from the committee on the judiciary, to whom had been referred Mr. Withers' resolution concerning slaves

and free negroes, reported that further legislation upon the subject was not expedient.

A message from the Governor, by Mr. Cowper, his Secretary, was received, enclosing the report of Jacob Siler, agent of Western Turnpike and Cherokee lands.

On motion of Mr. Jenkins,

Sent to the Senate with a proposition to print.

The House resumed the unfinished business of yesterday, being

S. 352, concerning the N. C. Railroad coupon bonds, the pending question being shall the bill pass the second reading? and it recurred. Mr. Montgomery moved to strike out all after the enacting clause, and insert a substitute filed by him.

Mr. Hill of H., also offered a substitute. Mr. Blow moved the question be indefinitely postponed; pending which, the hour for the adjournment arriving,

The House adjourned.

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AFTERNOON SESSION, FRIDAY, 9TH JANUARY.

The following messages were received from the Senate, viz:

One to inform the House that Messrs. Dockery and Clarke were the Senate branch of the committee on the distribution of the geological survey and report; and that they concurred in the proposition to print the report of the agent of Cherokee lands with the message of the Governor. By another, that they have passed the House resolution, No. 162, with the following amendment: Add, after the word "building," in the fifth line, the words "or public square." In this amendment the House concurred. The Senate further insisted upon its amendment to H. 23, to charter Holly Springs Academy.

The House then proceeded to consider bills upon the second reading with the following result, viz:

H. 89, to provide payment for tales jurors in the county of Mecklenburg, as amended by the committee on the judiciary, and the question being, shall this bill pass the second reading,

Mr. Morrison moved to amend as follows, viz: "Provided, that no tales juror shall be entitled to mileage;" and it was agreed to; and the question recurred, when Mr. Jenkins moved to postpone the same indefinitely, and this motion was put and

Decided in the negative—Yeas .....	31
Nays .....	77

On motion of Mr. Mann,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Bethea, Bledsoe, Bright, Bullock, Cox of Perquimons, Dancy, Eborn, Foster, Gilliam, Glass, Green, Hill of Stokes, Jenkins, Johnston, Kelly, Love, Mabry, Outlaw, Patterson, Pitchford, Rand, Siler, Slaughter, Smallwood, Speight, Stubbs, White of Bladen, Wilson and Yancy.

The following voted in the negative, viz:

NAYS.—Messrs. Barnes, Benbury, Blanton, Blow, Bridgers, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of Jones, Crump, Davidson, Dills, Eller, Elliott, Ferebee, Folk, Gaither, Gentry, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jennett, Jones, Leitch, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mann, March, Martin, Mason, Masten, Matthews, McIntosh, Meares, Morrison, Mosely, Ogburn, Outerbridge, Parker, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scales, Scott, Settle, Sharp, Southerland, Speer, Stewart, Styles, Strayhorn, Thompson, Tomlinson, Toms, Waugh, White of Cabarrus, Whitson, Williamson and Withers.

So the House refused to postpone the question, and it recurred, when Mr. Strayhorn moved to amend as follows, viz:

"*Provided*, That the provisions of this bill shall apply to such persons only as shall serve to the adjournment of the court from the day on which they have been summoned."

And it was adopted; then the question was put, shall the bill pass, and it was decided in the affirmative.

On motion of Mr. Mann,



The rule was suspended and the bill read and passed the third reading, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Caldwell,

The clerk of the House was directed to procure proper pulleys and fixtures to be attached to the doors and galleries of the Hall, and to provide a curtain and screen for intercepting the draft at the back of the Speaker's chair.

Mr. Meares moved that the vote by which

S. 228, was yesterday rejected, be now reconsidered; and pending the same,

On motion of Mr. Meares,

The question thereon was laid upon the table.

The House then proceeded to consider again the amendments of the Senate to

H. 23, to charter Holly Springs Academy; the question being, shall the House adhere to its disagreement thereto. Mr. Lewis addressing the House in support of the motion to adhere, Mr. Waugh rose to a point of order, which the Speaker decided as follows, viz :

"It is not competent in support of a motion to adhere, to impeach the motives of the Senate, or attribute to Senators any other motive than considerations of the public good."

And no appeal being taken the same passed as the judgment of the House, the question being then put, it was decided in the affirmative.

H. R. 79, in favor of Elizabeth Kissam, then passed the second reading, and the question being, shall the resolution pass the third reading and be engrossed and sent to the Senate; it was

Decided in the affirmative—Yeas ..... 49

Nays ..... 45

On motion of Mr. Lewis of Wake,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Caldwell, Cox of Perquimons, Crump, Eborn, Elliott, Ferebee, Folk, Foster, Gaither, Gentry, Gilliam, Hall, Hargrove, Har-

rell, Hester, Holmes, Jarvis, Jenkins, Leitch, Little, Lyon of Granville, Mann, Martin, Meares, Montgomery, Morrison, Ogburn, Outerbridge, Parker, Pickett, Pitchford, Routh, Scott, Siler, Slaughter, Smallwood, Southerland, Speer, Stewart, Stubbs, Tate, Ward, Waugh, White of Cabarrus and Wilson.

The following voted in the negative, viz:

NAYS.—Messrs. Barnes, Blanton, Bynum, Cansler, Clarke, Cotten, Davidson, Dills, Eller, Glass, Green, Hackney, Hill of Stokes, Humphrey, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Mabry, March, Mason, Masten, McIntosh, Patterson, Pearson, Ramsour, Rand, Rankin, Reeves, Richardson, Rushing, Sauls, Scales, Sharp, Speight, Strayhorn, Thompson, Tomlinson, Toms, Waddill, Williamson, Withers and Yancy.

Mr. Holmes moved the rule be suspended, and H. 34, to cede the Federal Government a site of land near Wilmington, as the said bill had been amended in the Senate, taken up and passed; pending which,

On motion of Mr. Blow,

And at 5 o'clock and 10m., the House adjourned.

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#### SATURDAY, 10TH JANUARY, 1857.

The following bills, etc., were reported upon, viz:

H. 134, by Mr. Hargrove, from propositions and grievances, unfavorably; also,

H. 207, by the same, from same committee, with the memorial of James W. Hinton and others, unfavorably.

H. 225, by Mr. Erwin, from internal improvements, favorably.

H. 255, by Mr. Jenkins, from judiciary, unfavorably.

H. 285, by the same, from the same committee, unfavorably.

H. 316, by the same, from the same, favorably.

H. 373, by Mr. Hargrove, from propositions and grievances, favorably.

On motion of Mr. Morrison,

*Ordered,* That a committee of five be appointed to examine the charter of the Cape Fear and Deep River Navigation Company, and the several acts of Assembly granting them aid; to see if the condition of those grants have been complied with, and report to this House as early as practicable; and the Speaker appointed the following, viz: Messrs. Baxter, Settle, Green, Outlaw and Ferebee.

Mr. Holt, from the committee on constitutional reform, submitted a minority report in No. 81, which Mr. Benbury moved be printed, and the question being thereon, Mr. Hill of H. moved the same be laid upon the table, and the question thereon was put and

Decided in the affirmative—Yeas .....	66
Nays .....	40

On motion of Mr. Folk,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bullock, Cansler, Clarke, Cotten, Cox of Jones, Dancy, Davidson, Dills, Glass, Green, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Leitch, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rankin, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Thompson, Tomlinson, Toms, Whitson, Williamson, Withers and Yancy.

The following members voted in the negative, viz:

NAYS.—Messrs. Baxter, Benbury, Caldwell, Cox of Perquimons, Crump, Eborn, Eller, Elliott, Erwin, Ferebee, Foster, Gaither, Gentry, Gilliam, Hackney, Jennett, Leach, Little, Mann, March, Martin, McIntosh, Meares, Ogburn, Outlaw, Pickett, Reeves, Rumley, Rushing, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Stubbs, Waddill, White of Cabarrus, White of Bladen and Wilson.

Mr. Bledsoe presented the memorial of William J. Lang-



don, and of Oscar G. Parsley and others, together with the accompanying documents relative to the cession of Mt. Tirzah to the Federal Government. Filed with No. 34.

Bills of the following titles were introduced, read, passed the first reading, and were referred or filed for the second reading as follows, viz:

By Mr. Parker: a bill (No. 375) to charter the town of Gatesville, in the county of Gates.

By Mr. Hill of Stokes: a bill (No. 376) to charter the N. C. Piedmont Mineral Range, Mining and Manufacturing Company. To internal improvements.

By Mr. Leitch: a bill (No. 377) to repeal an act concerning the superior and county courts of Robeson county. To judiciary.

By Mr. Gilliam: a bill (No. 378) concerning executors and administrators.

By Mr. Davidson: a bill (No. 379) to extend the powers of the mayor of Charlotte, in the county of Mecklenburg To judiciary.

By Mr. March: a bill (No. 380) to alter the time of court sessions in the counties of Davie and Alexander. To judiciary.

By Mr. Settle: a bill (No. 381) to charter the Rockingham and Coalfield Railroad Company.

On motion of Mr. Hill of Stokes,

The Senate were informed of the action of the House relative to the nomination of justices of the peace, and requested to concur therein.

And the House proceeded to consider the unfinished business; the motion of Mr. Holmes being passed over, the consideration of S. 352 was resumed; and the pending question "shall the bill be indefinitely postponed?" put, and

Decided in the affirmative—Yeas .....	67
Nays .....	43

On motion of Mr. Bledsoe,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Baxter, Benbury, Beathea, Blanton, Blow,

Bullock, Cansler, Clarke, Cox of Jones, Davidson, Dills, Eborn, Eller, Elliott, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Hargrove, Harrell, Hester, Hill of Halifax, Humphrey, Jarvis, Jennett, Kelly, Leitch, Lewis of Nash, Little, Long, Lyon of Granville, Mabry, Mann, Matthews, Meares, Moore, Morrison, Outlaw, Outerbridge, Parker, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sharp, Siler, Slaughter, Southerland, Speer, Stubbs, Toms, Waddill, Ward, White of Bladen, Whitson, Williamson, Wilson, Withers and Yancy.

The following members voted in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Bledsoe, Bridgers, Bright, Caldwell, Cox of Perquimons, Crump, Dancy, Green, Hackney, Hall, Hill of Stokes, Jenkins, Johnston, Jones, Leach, Lewis of Wake, Love, Lyon of Orange, March, Martin, Mason, Masten, McIntosh, Montgomery, Mosely, Ogburn, Patterson, Rand, Sauls, Scales, Scott, Smallwood, Speight, Stewart, Stiles, Strayhorn, Tate, Thompson, Tomlinson, White of Sampson and White of Cabarrus.

On motion of Mr. White of Bladen,

H. 147 was taken up and replaced in the files for the second reading, and then the House proceeded to the calendar, when the following bills, etc., were called, read the second time, and disposed of as follows, viz :

H. 20, laid upon the table.

H. 51, for the protection of the laborer and mechanic, and the question being "shall this bill pass the second reading?" and,

On motion of Mr. Hill of Stokes,

The last section being stricken out, Mr. Davidson moved to add the following section, viz :

"Whenever a contract is made with a carpenter for the erection of a building upon land of a *feme covert*, and the said *feme* occupies the same, or otherwise directly or indirectly assents to the bargain, the said land shall be bound in the same manner as if she were sole, and her husband the owner in fee."

And the question thereon was put, and it was not adopted.

Mr. White of Cabarrus offered an amendment, which was not adopted. Mr. Benbury moved the following be added, viz:

*Provided*, That the lien shall extend only to the building erected and the land which it covers.

And the question being thereon, Mr. Gilliam moved the bill and amendment be indefinitely postponed; and this motion was put, and

Decided in the negative—Yeas ..... 34

Nays ..... 73

On motion of Mr. Mann,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Baxter, Benbury, Bridgers, Bullock, Dancy, Eborn, Eller, Ferebee, Gaither, Gilliam, Hargrove, Hester, Jarvis, Johnston, Kelly, Mabry, Outlaw, Outerbridge, Parker, Patterson, Scales, Sharp, Slaughter, Smallwood, Speight, Stubbs, Thompson, Waddill, White of Bladen, Wilson, Withers and Yancy.

The following members voted in the negative, viz:

NAYS.—Messrs. Bethea, Blanton, Bledsoe, Blow, Bright, Caldwell, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Crump, Davidson, Dills, Elliott, Erwin, Folk, Foster, Gentry, Glass, Green, Hackney, Hall, Harrell, Hill of Stokes, Humphrey, Jenkins, Jennett, Jones, Leach, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mann, March, Martin, Mason, Masten, McIntosh, Meares, Montgomery, Moore, Morrison, Mosely, Ogburn, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rumley, Rushing, Sauls, Scott, Settle, Siler, Speer, Stewart, Stiles, Strayhorn, Tate, Tomlinson, Toms, Ward, White of Sampson, White of Cabarrus, Whitson and Williamson.

The question then recurred upon the motion of Mr. Benbury, pending which the morning session expired and the House adjourned.



## AFTERNOON SESSION, SATURDAY, 10TH JANUARY.

A message was received from the Senate concurring in the proposition to proceed at 3 o'clock to nominate justices of the peace in and for the several counties, and inclosing a number of nominations, made in that body, which were concurred in. The Senate also transmitted the petition of John H. Davis and others, of the county of Halifax, for the appointment of William B. Pope to that office, which being read, was

On motion of Mr. Hill of Halifax,

Laid upon the table.

Yeas ..... 69

Nays ..... 29

On motion of Mr. Gilliam,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bynum, Bullock, Cansler, Clarke, Cox of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Glass, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Routh, Rumley, Sauls, Scales, Smallwood, Southerland, Speer, Speight, Stewart, Strayhorn, Tate, Toms, Waugh, White of Bladen, Whitson, Withers and Yancy.

The following voted in the negative, viz :

NAYS.—Messrs. Benbury, Caldwell, Cox of Perquimons, Crump, Eborn, Elliott, Folk, Foster, Gaither, Gilliam, Jennett, Leach, Leitch, Little, Mabry, Mann, March, Martin, McIntosh, Meares, Ogburn, Richardson, Scott, Sharp, Siler, Slaughter, Waddill, White of Cabarrus and Wilson.

The counties were then severally called in alphabetical order, and nominations filed; and pending the reading of them,

On motion of Mr. Outlaw,

The reading was dispensed with, and the file ordered to the Senate.

Mr. Hill of Halifax gave notice that on Monday next he would introduce a resolution to provide for night sessions.

The House then went into committee of the whole, (Mr. Pickett being in the chair,) and after sometime therein, the committee rose; when,

On motion of Mr. Scales,

And at 4 o'clock and 50m., the House adjourned.

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MONDAY, 12TH JANUARY, 1857.

After the journal of yesterday had been read, Mr. Leitch stated that upon the motion of Mr. Hill of Halifax to lay Mr. Benbury's motion to print upon the table, he had voted under a misapprehension, and asked leave to change his vote, but leave was not granted.

The Speaker announced the following committee, viz: On Enrolled Bills, viz: Messrs. Love, Patterson, Outerbridge, Richardson and Eller.

On motion of Mr. Hill of H.,

A message was sent to the Senate informing that body of the adoption in this House of a recommendation to the Governor of certain persons therein named as justices of the peace for the counties of Halifax, Granville, Wilkes and Guilford.

On motion of Mr. Rushing,

No. 333 was withdrawn from the files and a substitute therefor entered.

Mr. Cox of P. presented the proceedings of a meeting of the Total Abstinence Society in Perquimons county, with a letter accompanying the same of Jephtha White and others. Referred to propositions and grievances.

Mr. Lewis of W., from the committee on the Lunatic Asylum, reported; and, on his motion, a message was sent to the Senate proposing that the following persons be appointed Directors of the said Asylum, viz: From the East, W. J.

Blow, John A. Taylor ; from the Centre, Charles E. Johnson, A. M. Lewis, W. W. Holden, Edward Cantwell, Kemp P. Battie.

The following resolutions were introduced and referred, viz :

By Mr. Humphrey : a resolution instructing the committee on public grounds and buildings to enquire and report the propriety and expediency of some change in the mode of warming the Hall of the House of Commons.

On motion of Mr. Hill of H.,

The House proceeded to the consideration of his resolution concerning night sessions as follows, viz: "*Resolved*, That this House adjourn in the afternoon of each day at 5 o'clock, and meet again at seven o'clock, P. M.," and the same was adopted.

Yeas ..... 77

Nays ..... 29

On motion of Mr. Hill of Halifax,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Bethea, Blanton, Bledsoe, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Davidson, Dills, Eborn, Ferebee, Folk, Gaither, Glass, Green, Hall, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Johnston, Kelly, Leitch, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mabry, Mann, Masten, Matthews, McIntosh, Meares, Moore, Morrison, Mosely, Ogburn, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Richardson, Rumley, Rushing, Sauls, Scales, Scott, Settle, Siler, Smallwood, Southerland, Speer, Speight, Stewart, Tate, Thompson, Toms, Ward, Waugh, White of Cabarrus, Williamson, Withers and Yancy.

The following members voted in the negative, viz :

NAYS.—Messrs. Badham, Baxter, Benbury, Blow, Bridgers, Dancy, Eller, Elliott, Erwin, Foster, Hackney, Hester, Jennett, Jones, Leach, Love, March, Martin, Outlaw, Outerbridge, Reeves, Routh, Sharp, Slaughter, Stiles, Waddill, White of Bladen, Whitson and Wilson.



Bills and a joint resolution of the titles following were introduced, read, passed the first reading, and were filed for the second reading, or referred as follows, viz:

By Mr. White of Cabarrus: a joint resolution (No. 382) in favor of Concord Female College. To education.

By Mr. Hargrove: a bill (No. 383) to charter the town of Townsville, in the county of Granville. To private bills.

By Mr. Leach: a bill (No. 384) to charter the Bank of Lexington.

By Mr. Meares: a bill (No. 385) to charter the N. C. Gas, Coal Mining and Transportation Company. To corporations and currency.

By the same: a bill (No. 386) to charter the Vulcan Mining and Manufacturing Company. To the same committee.

By the same: a bill (No. 387) to charter the Tuscarora Mining and Manufacturing Company. To the same committee.

By the same: a bill (No. 388) to charter the Excelsior Mining and Manufacturing Company. To the same committee.

By Mr. Pearson: a bill (No. 389) to establish a public road in Yancy and Burke counties.

By Mr. Johnston: a bill (No. 390) to amend the R. C., chapter 34, title Crimes and Punishments, s. 85. To judiciary.

By Mr. Bynum: a bill (No. 391) to regulate the fees of clerks and masters in equity on sales of real estate. To judiciary.

By Mr. Rumley: a bill (No. 392) to charter the Carolina City Steam Navigation Company.

By Mr. Davidson: a bill (No. 393) concerning sales of real estate by sheriffs, etc. To judiciary.

By Mr. Bynum: a bill (No. 394) to charter the Gulf and Morrisville Railroad Company. To internal improvements.

And the following were received from the Senate and filed, viz:

No. 395: a bill concerning the coupon bonds of the State of North-Carolina.

No. 396: a bill to amend the R. C., chapter 36, title Currency, s. 6, and to repeal s. 7 of the same.

No. 397: a bill to regulate the fishing with seines in North river.

On motion of Mr. Sharp,

The vote by which

S. 352, concerning the coupon bonds of the N. C. Railroad Company was rejected, was reconsidered.

Yeas ..... 61

Nays ..... 48

On motion of Mr. Yancy,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Benbury, Blanton, Bledsoe, Bridgers, Bright, Caldwell, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Dancy, Elliott, Erwin, Ferebee, Gaither, Glass, Green, Hall, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jenkins, Jennett, Johnston, Jones, Kelly, Leach, Lewis of Wake, Love, Lyon of Orange, Mabry, March, Martin, Masten, McIntosh, Meares, Ogburn, Patterson, Pickett, Pitchford, Rand, Sauls, Scales, Scott, Settle, Sharp, Southerland, Speer, Speight, Stewart, Tate, Thompson, Tomlinson, Ward, Waugh, White of Sampson, White of Cabarrus and Whitson.

And the following voted in the negative, viz :

NAYS.—Messrs. Baxter, Bethea, Blow, Bynum, Bullock, Crump, Davidson, Dills, Eborn, Eller, Folk, Foster, Hackney, Hargrove, Harrell, Hester, Jarvis, Leitch, Lewis of Nash, Little, Long, Lyon of Granville, Mann, Matthews, Moore, Morrison, Mosely, Outlaw, Outerbridge, Parker, Pearson, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Siler, Slaughter, Smallwood, Stiles, Toms, Waddill, White of Bladen, Williamson, Wilson, Withers and Yancy.

So the motion to reconsider prevailed and then,

On motion of Mr. Leach,

The bill was referred to a joint select committee of three on the part of the House, and two on the part of the Senate.

On motion of Mr. Scott,

*Ordered*, That (No. 225) the bill to amend the charter of

the Atlantic and N. C. Railroad, be made a special order for Tuesday next, at eleven o'clock.

On motion of Mr. Hill of Stokes,

*Ordered*, That No. 376, to charter the N. C. Piedmont Mineral Range Mining and Manufacturing Company, be printed.

A message from the Governor, by Mr. Cowper, enclosed the report of Walter Gwynn, engineer detailed to examine the works on the Deep River; which,

On motion of Mr. Jenkins,

The reading being dispensed with, was sent to the Senate with a proposition to print.

The House resumed the unfinished business.

H. 51, for the protection of the laborer and mechanic, the question being upon the amendment of Mr. Benbury, and it was withdrawn, and a substitute offered by him, which was read and rejected.

Mr. Hester moved to amend as follows, viz :

“Whenever any lawyer shall advise any person into a lawsuit, and the said person shall be injured by taking said advice, then the said lawyer shall be bound for all costs and damages the said person shall sustain.”

And the question being thereon, it was adopted. Mr. Scott moved to amend section the first by inserting between the words “turnpike” and “railroad” in the fourth line the word “or,” and by striking out of the same line after the word “railroad” the words “or other improvements;” and the question being thereon, it was adopted. Mr. Outerbridge moved to amend section the first by inserting in the fourth line before the words “other improvements” the word “such,” and the same was adopted. He also moved to amend the sixth line by inserting the word “written” before “contract;” the twelfth line by inserting “in the said contract” and striking out “or for the value thereof;” and also by striking out all after the word “done” in the thirteenth line of the same section, all of which said amendments were severally and respectively adopted. Mr. Clarke moved to



amend the bill, and was proceeding to state his amendment when,

On motion of Mr. Hill of Halifax,

The question being, "shall the bill be laid upon the table," it was

Decided in the affirmative—Yeas ..... 62

Nays ..... 45

On motion of Mr. Lewis of Wake,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Baxter, Benbury, Bethea, Blow, Bridgers, Bynum, Bullock, Cansler, Clark, Cox of Jones, Crump, Dancy, Dills, Eborn, Eller, Ferebee, Gaither, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Jennett, Johnston, Kelly, Leach, Leitch, Little, Long, Lyon of Orange, Lyon of Granville, Mabry, March, Martin, Masten, Matthews, McIntosh, Moore, Morrison, Outlaw, Parker, Patterson, Pickett, Pitchford, Rankin, Richardson, Routh, Scales, Slaughter, Smallwood, Speer, Speight, Stewart, Thompson, Waddill, Waugh, White of Cabarrus, Wilson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Blanton, Bledsoe, Bright, Caldwell, Cox of Perquimons, Davidson, Elliott, Erwin, Folk, Foster, Glass, Green, Hall, Holmes, Humphrey, Jarvis, Jenkins, Jones, Lewis of Wake, Lewis of Nash, Mann, Meares, Mosely, Ogburn, Outerbridge, Pearson, Ramsour, Rand, Reeves, Rumley, Rushing, Sauls, Scott, Settle, Sharp, Siler, Southerland, Stiles, Tate, Tomlinson, Toms, White of Sampson, White of Bladen, Whitson and Williamson.

On motion of Mr. Bledsoe,

The memorial of Wm. J. Langdon and others was withdrawn from the files.

Pursuant to the special order, the bill (No. 8,) to amend the charter of the Wilmington, Rutherford and Charlotte Railroad Company was read the second time, the question being upon the amendments proposed by the committee on

internal improvements, the morning hour expired, and the House adjourned.

AFTERNOON SESSION, MONDAY 12TH JANUARY.

On motion of Mr. Bethea,

The bill (No. 190) to establish the superior court of Harnett, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

The Senate informed the House by messages of the following: Senate committee on enrolled bills, Messrs. Taylor, Burges and Hawkins; also that they concurred in the appointments of the House of directors of the Insane Asylum, and in the proposition to print the report of Walter Gwynn, engineer, etc., and transmitted nominations for justices of the peace in Onslow and Columbus, in which the House concurred.

On motion of Mr. Hill of Halifax,

The bill (S. 395) concerning the coupon bonds of the State of North-Carolina, was read the second time, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Humphrey,

S. 229, was made the special order for Thursday next, at twelve o'clock.

On motion of Mr. Rushing,

H. 333, the rule being suspended, was read the second time, and the question being put, "shall this bill pass the second reading?" it appeared that there was no quorum voting, when Mr. Jenkins moved there be a call of the House; the question thereon was put, and

Decided in the affirmative—Yeas ..... 52

Nays ..... 17

A quorum voting, Mr. Jenkins moved the call be dispensed with, and it was so ordered; and the bill then passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Rand,

H. 240, to revise and consolidate the charter of the city of Raleigh, the rule being suspended, was read the second time, and the question put, "shall this bill pass the second reading?" Mr. Routh moved to amend, by inserting No. 136 as an additional section; Mr. Bledsoe moved to amend the amendment, and it was not adopted; Mr. Reeves moved to amend, and it was not adopted; and the question recurred, was put, and

Decided in the affirmative—Yeas .....	73
Nays .....	27

On motion of Mr. Blow,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Blanton, Bright, Bynum, Bullock, Cansler, Clarke, Cox of Jones, Dancy, Davidson, Eborn, Eller, Elliott, Erwin, Ferebee, Folk, Foster, Gaither, Green, Hargrove, Harrell, Hester, Hill of Halifax, Humphrey, Jarvis, Jenkins, Johnston, Jones, Leitch, Little, Long, Love, Lyon of Granville, Mann, March, Martin, Matthews, Meares, Morrison, Outlaw, Parker, Patterson, Pearson, Pickett, Ramsour, Rankin, Richardson, Routh, Rumley, Rushing, Sauls, Scott, Settle, Siler, Speer, Stewart, Stiles, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson and Wilson.

And the following voted in the negative, viz:

NAYS.—Messrs. Blow, Bridgers, Caldwell, Dills, Glass, Hackney, Hall, Hill of Stokes, Leach, Lewis of Nash, Lyon of Orange, Mabry, Masten, McIntosh, Moore, Ogburn, Outerbridge, Pitchford, Rand, Reeves, Scales, Sharp, Slaughter, Smallwood, Speight, Waugh and Yancy.

So the bill passed the second reading, and the rule being suspended, and the question put, shall this bill pass the third reading, and be engrossed and sent to the Senate. Mr. Bledsoe offered an amendment and moved that the yeas and nays be ordered thereon. Mr. Erwin objecting thereto, raised a question of order, "whether when a member in-



formed the House that under the rule he was not at liberty to vote, he could move for the yeas and nays thereon?" when Mr. Bledsoe withdrew the motion. The question was then put upon the amendment, and it was not adopted. Mr. Hill of Halifax moved to amend by striking out the third section, and it was not adopted, and the bill passed.

On motion of Mr. Meares,

And at 5 o'clock and 23m., the House adjourned.

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NIGHT SESSION, MONDAY, 12TH JANUARY.

Pursuant to the rule heretofore adopted, the House re-assembled at 7, P. M.

H. 144, to open the Yadkin river to the free passage of fish, being read the second time and the question put, passed the second reading, and the question being, shall the bill pass the third reading,

On motion of Mr. Reeves,

The same was amended as follows, viz:

*“Provided,* That nothing herein contained shall interfere with the rights conferred on the Yadkin Navigation Company.”

The question recurring, Mr. Rushing moved an amendment, as follows, viz:

*“Provided,* No mill-dam shall be interfered with or taken out on the side of the river next to any mill already erected.”

And it was adopted. And then the question being, shall the bill pass, it was put and

Decided in the affirmative—Yeas ..... 70

Nays ..... 33

On motion of Mr. Gaither,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Blanton, Bledsoe, Bridgers, Bright, Bynum, Bullock, Cansler, Crump, Davidson, Dills, Eller, Erwin, Gaither, Gentry, Glass, Green, Hall, Hargrove, Hill of Stokes, Holmes, Humphrey, Jenkins, Johnston, Kelly, Leitch, Lewis

of Nash, Lyon of Orange, Lyon of Granville, March, Martin, Mason, Masten, Matthews, McIntosh, Montgomery, Moore, Morrison, Mosely, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Scales, Scott, Settle, Sharp, Siler, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Tate, Thompson, Toms, Waddill, Waugh, White of Sampson, White of Cabarrus, Whitson, Withers and Yancy.

The following voted in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Caldwell, Cotten, Cox of Perquimons, Dancy, Eborn, Elliott, Ferebee, Folk, Foster, Hackney, Harrell, Hester, Hill of Halifax, Jennett, Leach, Little, Long, Love, Mabry, Ogburn, Outerbridge, Parker, Rand, Sauls, Smallwood, Tomlinson, Ward and Williamson.

So the bill passed the third reading and was ordered to be engrossed and sent to the Senate.

H. 28, to establish the county of Avery, was read the second time, and the question thereon put, and

Decided in the affirmative—Yeas .....	54
Nays .....	53

On motion of Mr. Pearson,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Bethea, Blanton, Bynum, Cansler, Clarke, Cox of Jones, Crump, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gentry, Glass, Hackney, Hall, Harrell, Hill of Stokes, Houck, Jones, Leach, Love, March, Martin, Masten, Matthews, McIntosh, Morrison, Mosely, Pearson, Pickett, Ramsour, Rankin, Richardson, Routh, Rumley, Rushing, Scales, Sharp, Siler, Southerland, Speer, Stewart, Stiles, Toms, Waddill, Ward, Waugh, White of Cabarrus, Whitson and Yancy.

The following voted in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Benbury, Bledsoe, Bridgers, Bright, Bullock, Caldwell, Cox of Perquimons, Dancy, Eborn, Ferebee, Green, Hargrove, Hester, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston,

Leitch, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mabry, Mason, Montgomery, Moore, Ogburn, Outerbridge, Parker, Patterson, Pitchford, Rand, Sauls, Scott, Settle, Slaughter, Smallwood, Speight, Strayhorn, Tate, Thompson, Tomlinson, White of Sampson, Williamson, Wilson and Withers.

The bills respectively entitled as follows then being read the second and third times, passed the second and third readings, and were ordered to be engrossed and sent to the Senate, or were otherwise disposed of, viz :

H. 94, to extend the powers of the Roanoke Valley Railroad.

H. 113, to encourage the formation of a Military Company in the town of Wilmington.

H. 117, to prohibit the sale of spirituous liquors near the Western Male Academy; and the question being, shall the bill pass the second reading, it was

Decided in the affirmative—Yeas .....	79
Nays .....	23

On motion of Mr. White of C.,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Benbury, Bethea, Bright, Bynum, Caldwell, Clarke, Cox of Jones, Cox of Perquimons, Crump, Dancy, Davidson, Eborn, Eller, Elliott, Erwin, Ferebee, Folk, Foster, Gaither, Gentry, Glass, Green, Hackney, Hall, Harrell, Hill of Stokes, Hill of Halifax, Houck, Holmes, Jenkins, Jennett, Johnston, Jones, Leach, Leitch, Lewis of Nash, Little, Lyon of Orange, Mabry, Martin, Mason, McIntosh, Moore, Morrison, Mosely, Ogburn, Outlaw, Outerbridge, Patterson, Pearson, Pickett, Pitchford, Richardson, Rumley, Rushing, Scales, Scott, Sharp, Siler, Slaughter, Smallwood, Southerland, Speer, Speight, Stiles, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, Whitson, Williamson, Wilson and Yancy.

The following members voted in the negative, viz :

NAYS.—Messrs. Badham, Baxter, Blanton, Bullock, Cansler, Dills, Hargrove, Hester, Humphrey, Jarvis, Long, Lyon of



Granville, Mann, Masten, Montgomery, Parker, Rand, Rankin, Routh, Sauls, Settle, Stewart and Withers.

Mr. Hill of Stokes offered the following, which was read, considered and adopted, as follows, viz :

“*Resolved*, That all bills on the calendar shall hereafter be regularly taken up, at each session, morning, afternoon and night, and whether of a public or private nature, and acted upon in order.”

H. R. 106, in favor of Samuel Williams & Son; and the question being, shall this resolution pass the second reading, it was

Decided in the affirmative—Yeas .....	57
Nays .....	45

On motion of Mr. Mann,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Benbury, Bethea, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Davidson, Dills, Eborn, Elliott, Erwin, Ferebee, Folk, Foster, Gentry, Glass, Hall, Harrell, Hill of Stokes, Jarvis, Jenkins, Jennett, Leach, Leitch, Little, Love, Mabry, Mann, Martin, Matthews, McIntosh, Meares, Ogburn, Outlaw, Outerbridge, Parker, Pearson, Pickett, Pitchford, Richardson, Routh, Rumley, Scott, Settle, Siler, Slaughter, Speer, Stewart, Stiles, Waddill, Ward, White of Cabarrus, Whitson, Williamson and Yancy.

The following voted in the negative, viz :

NAYS.—Messrs. Badham, Blanton, Bridgers, Bright, Bynum, Bullock, Dancy, Eller, Gaither, Green, Hackney, Hargrove, Hester, Hill of Halifax, Holmes, Humphrey, Johnston, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, March, Mason, Masten, Montgomery, Moore, Morrison, Patterson, Ramsour, Rand, Rankin, Rushing, Sauls, Scales, Sharp, Smallwood, Southerland, Speight, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waugh and Withers.

So the resolution passed the second reading, and the question being, shall it pass the third reading, Mr. Morrison moved to amend as follows, viz :

“*Provided*, All the public arms which have been received by said keepers be returned when called for.”

And it was adopted. Mr. Outlaw moved to strike out all after the word “resolved” and insert as follows, viz :

“That the Public Treasurer be authorized to pay Samuel Williams and son one hundred and fifty dollars, when satisfactory evidence shall be offered that the same is due for storage of public arms.”

And it was adopted ; and the question recurring,

On motion of Mr. Settle,

It was laid upon the table. And then,

On motion of Mr. Bynum,

And at 9 o'clock and 47m., the House adjourned.

#### TUESDAY, 13TH JANUARY, 1857.

Mr. Waugh, from the committee on private bills, reported a substitute for No. 383, referred them, which was adopted and filed.

Mr. Erwin introduced the following :

“*Resolved*, That from this day until Friday the House will meet at 10 o'clock, take a recess at half-past 1, meet again at 3, and adjourn at 5, P. M.”

And he moved that the rule be suspended and the resolution considered, and it was so ordered, and the question being, shall the resolution be adopted, Mr. Jarvis moved that the yeas and nays be ordered, when Mr. Erwin withdrew the resolution. Mr. Badham renewed the motion, and it was put and

Decided in the affirmative—Yeas ..... 82

Nays ..... 25

On motion of Mr. Parker,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Blanton, Blow, Bright, Bynum, Caldwell, Cansler, Clark, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy,

Eborn, Eller, Elliott, Erwin, Ferebee, Foster, Glass, Green, Hackney, Hall, Hester, Hill of Stokes, Houck, Holmes, Jenkins, Jennett, Jones, Kelly, Leitch, Long, Love, Lyon of Orange, Mabry, Mann, March, Martin, Mason, Masten, McIntosh, Meares, Moore, Ogburn, Outlaw, Pearson, Ramsour, Rand, Reeves, Richardson, Routh, Sauls, Scales, Scott, Settle, Sharp, Siler, Slaughter, Smallwood, Southerland, Speight, Stewart, Stiles, Strayhorn, Tate, Thompson, Tomlinson, Waddill, Ward, Waugh, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson, Withers and Yancy.

The following voted in the negative, viz :

NAYS.—Messrs. Bullock, Davidson, Dills, Gaither, Hargrove, Harrell, Hill of Halifax, Humphrey, Jarvis, Johnston, Lewis of Nash, Little, Lyon of Granville, Matthews, Montgomery, Mosely, Outerbridge, Parker, Patterson, Pickott, Rankin, Rumley, Rushing, Speer and Toms.

Bills, etc., of the following titles were introduced, read, passed the first reading, and were filed for the second reading, referred or otherwise disposed of as follows, viz :

By Mr. Humphrey : a joint resolution (No. 398) concerning the public arms ; and the rule being suspended, the same passed also the second and third readings, and was ordered to be engrossed and sent to the Senate.

By Mr. White of Bladen : a joint resolution (No. 399) concerning the survivors of the war with Mexico.

By Mr. Lewis of Wake : a bill (No. 400) to authorize the Neuse River Manufacturing Company to increase their capital stock ; and the rule being suspended, this bill also passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

By Mr. Baxter : a bill (No. 401) concerning the town of Hendersonville.

By Mr. Pearson : a bill (No. 402) to lay off a road in Yancy and Burke counties.

By Mr. Ferebee : a bill (No. 403) to revive and amend an act to authorise William R. Abbott to cut a canal in Camden county.



By Mr. McIntosh: a bill (No. 404) to increase the fees of surveyors.

By Mr. Clarke: a bill (No. 405) to charter the Patterson Manufacturing Company in the county of Caldwell. To private bills.

By Mr. Green: a bill (No. 406) concerning collateral descents. To judiciary.

By Mr. Southerland: a bill (No. 407) to charter Magnolia Institute in the county of Duplin.

By Mr. Eller: a bill (No. 408) to fill vacancies in road commissioners of Wilkes and Caldwell. To private bills.

By Mr. Reeves: a bill (No. 409) to charter the Bank of Rockford in Surry county.

By Mr. Pickett: a bill (No. 410) concerning matrimony. To propositions and grievances.

By Mr. Gentry: a joint resolution (No. 411) concerning the census of Ashe county.

By Mr. Reeves: a bill (No. 412) to amend the charter of the Yadkin Navigation company. Ordered to be printed.

By Mr. Humphrey: a joint resolution (No. 413) in favor of certain schools in Duplin county.

On motion of Mr. Sharp,

A message was sent to the Senate, informing that body of the nomination of certain persons as justices of the peace for the county of Iredell.

Mr. Houck, from the committee on military affairs, reported H. 312, favorably.

Mr. Scales moved that No. 381 be made a special order for Friday next, at eleven o'clock. Mr. Badham moved to amend the same, by substituting Friday week, at twelve o'clock, and the question being thereon it was not adopted; and the question recurring,

On motion of Mr. Rushing,

The motion was amended by inserting Monday next, at eleven o'clock; and so amended, the order passed.

The House resumed the unfinished business, being the passage of No. 8 the second reading, when a message was received from the Senate, concurring in the proposition to raise

a joint committee upon S. 352, concerning the coupon bonds of the North-Carolina Railroad Company, and that Messrs. Cameron and Cherry were the Senate branch; whereupon the Speaker appointed Messrs. Sharpe, Montgomery and Hill of H., on the part of the House.

On motion of Mr. Outlaw,

H. 10, to aid in the construction of the Western Railroad, was made the special order for Friday next, at half past ten o'clock; and the House resumed

H. 8, to amend charter of the Wilmington, Rutherford and Charlotte Railroad Company; and the question thereon being put, was

Decided in the affirmative—Yeas .....	51
Nays .....	51

The Speaker voted in the affirmative.

On motion of Mr. Jenkins,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Mr. Speaker, Messrs. Bethea, Blanton, Cansler, Clarke, Cox of Jones, Crump, Davidson, Dills, Eller, Elliott, Folk, Foster, Glass, Harrell, Holmes, Leach, Leitch, Little, Love, Mabry, Mann, March, Martin, Matthews, McIntosh, Meares, Morrison, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sharp, Siler, Southerland, Speer, Stewart, Stiles, Tate, Toms, Waddill, White of Cabarrus, White of Bladen, Whitson, Williamson and Yancy.

The following voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Baxter, Blow, Bridgers, Bright, Bynum, Bullock, Caldwell, Cotten, Dancy, Gentry, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Houck, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Montgomery, Moore, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Rand, Sauls, Scales, Scott, Smallwood, Speight, Strayhorn, Thompson, Tomlinson, Ward, Waugh and Withers.

H. 60, to provide for the more effectual enlistment of lands for taxation, then being read the second and third times, pas-

sed the second and third readings and was ordered to be engrossed and sent to the Senate.

Nos. 85 and 81 were laid upon the table.

H. 98, to amend the R. C., chapter 99, title Revenue, s. 60, was then read, as amended, the second time, and pending the question the morning session expired and the House adjourned.

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AFTERNOON SESSION, TUESDAY, 13TH JANUARY.

The House resumed the consideration of

H. 98. Mr. Meares moved the bill be laid upon the table, and the question thereon was put, and it was not adopted. Mr. Hester offered the following amendment:

“Provided it shall not extend to any tract where there are 500 acres lying out of the county in which said owner resides.”

Mr. Badham moved the question be made the special order for the 20th February next at 11 o'clock.

On motion of Mr. Scott,

The yeas and nays thereon were ordered; when Mr. Badham's motion was withdrawn. Mr. Thompson offered the following amendment:

“Provided that if the owner does not live in either county he shall list his land in that county in which the larger part lies.”

Mr. Outlaw moved to lay the same upon the table, and the question thereon was put and

Decided in the affirmative—Yeas .....	55
Nays .....	50

On motion of Mr. Scott,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Benbury, Blanton, Blow, Bynum, Bullock, Cansler, Cox of Perquimons, Crump, Daney, Davidson, Dills, Eborn, Ferebee, Folk, Foster, Gaither, Hall, Hargrove, Hill of Stokes, Houck, Humphrey, Jarvis, Jennett,



Johnston, Kelly, Leitch, Love, Lyon of Granville, Mabry, Masten, Matthews, Meares, Moore, Morrison, Outlaw, Outerbridge, Parker, Pearson, Pickett, Ramsour, Rand, Rankin, Reeves, Richardson, Rushing, Scales, Settle, Smallwood, Speer, Waddill, Whitson, Williamson, Wilson and Yancy.

The following members voted in the negative, viz :

NAYS.—Messrs. Barnes, Baxter, Bethea, Bridgers, Caldwell, Clarke, Cotten, Cox of Jones, Eller, Elliott, Glass, Green, Hackney, Harrell, Hester, Hill of Halifax, Holmes, Jones, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Orange, Mann, March, Martin, Mason, McIntosh, Montgomery, Moseley, Ogburn, Patterson, Pitchford, Routh, Sauls, Scott, Siler, Slaughter, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, White of Sampson, White of Cabarrus and Withers.

H. 97, to establish the county of Swain, did not pass the second reading.

H. 114, to amend the R. C., chapter 114, title Usury, was,  
On motion of Mr. Outlaw,  
Laid upon the table.

H. 115, to amend the R. C., chapter 102, title Salaries and Fees, was,  
On motion of Mr. Reeves,  
Indefinitely postponed.

H. 129, to provide for the election of clerks and masters in equity by the people, then being read, passed the second reading. Mr. Morrison moved that the rule be suspended, and the bill read the third time, and (two thirds not voting therefor) it was decided in the negative.

H. 132, to amend the R. C., chapter 99, title Revenue, s. 31, did not pass the second reading.

H. 134, to alter the line between Richmond and Montgomery counties, did not pass the second reading.

H. 146, to regulate the sale of State Bonds, was,  
On motion of Mr. Badham,  
Indefinitely postponed.

H. 147, concerning surety and principal, did not pass the second reading.

H. 165, concerning the competency of certain witnesses, then being read, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

H. 168, to repeal part of R. C., chapter 61, title Internal Improvements, then being read, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

H. 172, to amend an act concerning civil trials, did not pass the second reading.

H. 174, to amend the R. C., chapter 99, title Crimes and Punishments, s. 99, then being read, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

H. 176, to provide for a homestead exemption, was

On motion of Mr. Jones,

Laid upon the table.

H. 178, to repeal the R. C., chapter 20, title Clerks and Masters in Equity, then being read, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

S. 181, to increase the pay of witnesses in the county of Duplin, the same being first amended,

On motion of Mr. Houck,

So as to include the county of Iredell, and

On motion of Mr. Leitch,

So as to include the county of Robeson; together with

S. 183, concerning inspectors of naval stores in the town of Wilmington, then being severally read, severally and respectively passed the second and third readings, and were ordered to be enrolled.

H. R. 185, in favor of Concord Presbyterian college, in the county of Iredell, passed the second reading and was read the third time, and the question put "shall this resolution pass the third reading?"

On motion of Mr. Green,

The yeas and nays thereon being ordered; when the hour for the adjournment arrived, and the House adjourned.

WEDNESDAY, 14<sup>TH</sup> JANUARY, 1857.

On motion of Mr. Bethea,

The memorials relating to the county of Harnett were withdrawn from the files.

Reports from committees were submitted as follows, viz :

Mr. Scales, from the committee of finance, reported an unfavorable conclusion upon the resolution of Mr. Humphrey, concerning Revenue ; he also reported unfavorably the memorial of R. M. Saunders and others in behalf of the N. C. Railroad Company, and the resolution of Mr. Clarke concerning certain taxes. He also reported unfavorably H. 13 and H. 14.

Mr. Thompson, from the committee on the judiciary, reported unfavorably H. 47. The following bills were also reported upon as follows, viz :

H. 143, by Mr. Lewis of Wake, from judiciary, unfavorably.

H. 198, by Mr. Scales, from finance, unfavorably.

H. 208, by Mr. Elliott, from education, unfavorably.

H. 222, by Mr. White of Bladen, from judiciary, favorably.

H. 238, by Mr. Waugh, from private bills, favorably.

H. 362, by Mr. Green, from judiciary, unfavorably.

H. 363, by Mr. Lewis of Wake, from same, unfavorably.

H. 377, by Mr. Bridgers, from same, favorably.

H. 379, by Mr. Badham, from same, unfavorably.

H. 380, by Mr. White of Bladen, from same, favorably.

H. 390, by Mr. Green, from same, unfavorably.

H. 391, by Mr. Outlaw, from same, unfavorably.

H. 393, by Mr. Thompson, from same, unfavorably.

On motion of Mr. Baxter,

*Ordered*, That the select committee upon the charter of the Cape Fear and Deep River Navigation Company be and they are hereby empowered and authorized to send for persons and papers, and to examine witnesses under oath.

Mr. Leitch submitted the following :

*Resolved*, That the committee on the judiciary be directed to enquire into the expediency of altering the time for



holding the superior courts in the fifth judicial circuit so that said courts shall begin on the second Monday in March and September."

And the question being thereon, it was not adopted.

Bills, etc., of the following titles were introduced, read, passed the first reading, and referred, or otherwise disposed of as follows, viz:

By Mr. Dills: a joint resolution (No. 414) in favor of John White. To Cherokee lands.

By Mr. Montgomery: a bill (No. 415) to pay justices of the peace for taking tax lists.

By Mr. Mabry: a bill (No. 416) to charter the Wake, Chatham and Orange Mining Company. To internal improvements.

By Mr. Hargrove: a joint resolution (No. 417) in favor of Willis Lewis, of Granville county. To propositions and grievances.

By Mr. Pearson: a bill (No. 418) to lay off a public road in Yancy and Burke counties.

By Mr. Lyon of O.: a bill (No. 419) to emancipate Samuel Morphis, of Alamance county.

By Mr. Elliott: a bill (No. 420) to charter the Middleton Academy, in Randolph county. To education.

By Mr. Jones: a bill (No. 421) to charter the Newbern Light Infantry Company.

By Mr. Yancy: a bill (No. 422) to charter the Ivy and Little Laurel Turnpike Company. To internal improvements.

By Mr. White of B.: a bill (No. 423) to amend the LL. 1852, title Civil Process.

By Mr. Lewis of W.: a bill (No. 424) to extend the term of the superior courts in the third judicial circuit.

And the following from the Senate, viz:

No. 425, to amend the R. C., chapter 17, title Cattle, etc., s. 7.

No. 426, a joint resolution in favor of James Melvin.

No. 427, a joint resolution concerning coupons in the office of the Public Treasurer.

On motion of Mr. Lewis of W.,

H. 271, to charter the N. C. Bank was made a special order for Tuesday next at 11 o'clock.

On motion of Mr. Erwin,

H. 51 was taken from the table and restored to its place on the calendar.

And the House resumed the unfinished business :

H. R. 185, the pending question being the passage of the resolution the third reading, Mr. Erwin moved to amend by inserting as follows: "and three thousand dollars to the trustees of Newton Academy," and it was adopted. Mr. Humphrey moved to amend by inserting as follows: "and 2500 dollars to the trustees of Magnolia Male Institute, and 2500 dollars to the trustees of Warsaw High School for three years," and it was adopted. Mr. Morrison moved to amend as follows: "provided the interest on the same shall be paid semi-annually," and it was adopted. Mr. Ferebee moved an amendment which was rejected, and the question recurring, it was

Decided in the affirmative—Yeas .....	61
Nays .....	47

On motion of Mr. Rushing,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Benbury, Bethea, Bledsoe, Bullock, Caldwell, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Crump, Davidson, Eller, Elliott, Erwin, Ferebee, Folk, Foster, Gaither, Gentry, Glass, Hackney, Hall, Houck, Holmes, Humphrey, Jones, Leach, Leitch, Lewis of Wake, Little, Love, Mabry, Mann, March, Martin, Matthews, McIntosh, Morrison, Mosely, Ogburn, Pearson, Routh, Scott, Settle, Sharp, Siler, Slaughter, Southerland, Speer, Stiles, Tate, Toms, Waddill, Ward, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Wilson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Blow, Bridgers, Bright Bynum, Cotten, Dancy, Dills, Eborn, Green, Hargrove, Harrell, Hester, Hill of Stokes, Jarvis, Jennett, Johnston, Kelly, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville,

Mason, Masten, Montgomery, Moore, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rankin, Reeves, Rumley, Rushing, Sauls, Smallwood, Speight, Stewart, Strayhorn, Tomlinson, Waugh, Williamson and Withers.

H. 32, to charter the N. W. Railroad, the question being shall this bill pass the second reading? Mr. Reeves moved the thirty-sixth section be stricken out and a substitute offered by him adopted, and it was agreed to; and

On motion of Mr. Folk,

The morning hour being extended, the question was put, and

Decided in the negative—Yeas .....	44
Nays .....	63

On motion of Mr. Hester,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Bethea, Blanton, Cansler, Clarke, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gentry, Glass, Hall, Holmes, Leach, Leitch, Little, Love, Mabry, March, Martin, Matthews, McIntosh, Morrison, Pearson, Pickett, Ramsour, Reeves, Routh, Rumley, Rushing, Sharp, Siler, Southerland, Speer, Stewart, Stiles, Toms, Waddill, White of Cabarrus, White of Bladen, Whitson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bledsoe, Blow, Bridgers, Bright, Bynum, Caldwell, Cotten, Cox of P., Dancy, Ferebee, Gaither, Green, Hackney, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mann, Mason, Masten, Montgomery, Moore, Mosely, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Rand, Rankin, Richardson, Sauls, Scales, Scott, Settle, Slaughter, Smallwood, Speight, Strayhorn, Tate, Thompson, Tomlinson, Ward, Waugh, White of Sampson, Williamson, Wilson and Withers.

Mr. Baxter paired off with Mr. Meares.

Mr. Benbury paired off with Mr. Dargan.

On motion of Mr. Patterson,



The hour for the adjournment was again extended, and Mr. Waugh moved to reconsider this vote; and it was

Decided in the negative—Yeas .....	47
Nays .....	59

On motion of Mr. Blow,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Bethea, Blanton, Cansler, Clarke, Cox of Jones, Davidson, Dills, Eller, Elliott, Erwin, Folk, Foster, Gaither, Gentry, Glass, Hall, Harrell, Houck, Holmes, Leach, Leitch, Little, Love, Mabry, March, Martin, McIntosh, Morrison, Pearson, Pickett, Ramsour, Reeves, Richardson, Routh, Rumley, Sharp, Siler, Southerland, Speer, Stewart, Stiles, Toms, Waddill, Waugh, White of Cabarrus, White of Bladen and Whitson.

And the following voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bledsoe, Blow, Bridgers, Bynum, Caldwell, Cotten, Cox of Perquimons, Ferebee, Green, Hackney, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mann, Mason, Masten, Matthews, Montgomery, Moore, Mosely, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Rand, Rankin, Rushing, Sauls, Scales, Scott, Settle, Slaughter, Smallwood, Speight, Strayhorn, Tate, Thompson, Tomlinson, Ward, White of Sampson, Williamson, Wilson, Withers and Yancy.

At one o'clock and 52m., Mr. Erwin moved the House adjourn until half-past three, and it was not adopted, and afterwards it being 2 o'clock, the House adjourned.

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AFTERNOON SESSION, WEDNESDAY, 14TH JANUARY.

The following was received from the Senate, viz:

“Mr. Speaker: Mr. Cameron is excused from the committee on the N. C. Railroad Company coupon bonds, and Mr. Eaton has been appointed in his place.”

Mr. White of Bladen, moved the calendar be suspended and the engrossed resolution (S. R. 426) in favor of James Melvin read the second time, and it was not agreed to.

The House then resumed the calendar, when the following entitled bills were read the second time and disposed of as follows, viz:

H. 83, to extend further protection to the estates of married women, did not pass the second reading.

H. 87, to amend the R. C., chapter 31, title Ejectments, s. 48, passed the second reading, and was rejected upon the third reading.

H. 13, to repeal the R. C., chapter 99, title Revenue, s. 30 and part of 24, did not pass the second reading.

H. 14, to repeal R. C., chapter 99, title Revenue, s. 30, was  
On motion of Mr. Jenkins,  
Laid upon the table.

H. 47, to amend R. C., chapter 46, title Executors and Administrators s. 9, did not pass the second reading.

H. 187, to protect remainders in slaves, was  
On motion of Mr. Jenkins,  
Laid upon the table.

H. 189, concerning escheats, passed the second reading, and the question being shall the bill pass the third reading? Mr. Caldwell moved to amend by striking out the words "Trustees of the University of North-Carolina" and inserting the words "Literary Board;" and the question was put, and

Decided in the negative—Yeas .....	51
Nays .....	54

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Bledsoe, Bynum, Caldwell, Cansler, Cotten, Cox of Perquimons, Crump, Dills, Eborn, Erwin, Gaither, Gentry, Glass, Green, Hackney, Hall, Hester, Houck, Humphrey, Jarvis, Jennett, Lewis of Wake, Lewis of Nash, Long, Love, Mabry, Mann, March, Martin, McIntosh, Ogburn, Parker, Patterson, Pickett, Pitchford, Ramsour, Ran-

kin, Richardson, Scott, Sharp, Speer, Strayhorn, Thompson, Tomlinson, Toms, Waddill, White of Cabarrus, White of Bladen, Whitson and Withers.

And the following voted in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Baxter, Blanton, Blow, Bridgers, Bullock, Cox of Jones, Dancy, Davidson, Eller, Elliot, Ferebee, Foster, Hargrove, Harrell, Hill of Stokes, Hill of H., Holmes, Jenkins, Johnson, Jones, Kelly, Leach, Leitch, Little, Lyon of Orange, Mason, Masten, Moore, Morrison, Mosely, Outlaw, Outerbridge, Pearson, Reeves, Routh, Rumley, Rushing, Sauls, Scales, Settle, Siler, Slaughter, Smallwood, Southerland, Speight, Stiles, Tate, Ward, Waugh, White of Sampson, Williamson and Yancy.

And the question recurring Mr. Green moved to amend as follows, viz :

“Strike out all after the word ‘State’ and insert the words ‘shall hereafter go to the Literary Board instead of the Trustees of the University.’”

Mr. Leach, by way of amendment to this amendment, and instead of the bill, offered a substitute, which was rejected. The question was then taken upon the amendment, and

Decided in the affirmative—Yeas .....	84
Nays .....	22

On motion of Mr. Toms,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Benbury, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Davidson, Dills, Eborn, Eller, Erwin, Foster, Gaither, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jennett, Jones, Kelly, Leach, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, March, Martin, Mason, Masten, Matthews, McIntosh, Montgomery, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Sauls, Scales, Scott, Sharp, Smallwood, Southerland, Speer, Speight, Stewart, Strayhorn, Tate, Tomp-



son, Tomlinson, Toms, Waddill, Waugh, White of Cabarrus, White of Bladen, Whitson, Williamson, Withers and Yancy.

And the following voted in the negative, viz :

NAYS.—Messrs. Badham, Baxter, Blanton, Blow, Bridgers, Bullock, Cox of Jones, Crump, Dancy, Elliott, Ferebee, Jenkins, Johnston, Leitch, Moore, Morrison, Outlaw, Rushing, Settle, Siler, Ward and White of Sampson.

And so amended this bill passed the third reading, and was ordered to be engrossed and sent to the Senate.

H. 191, to charter the Salisbury and Eagle City Railroad Company, the question being, shall this bill pass the second and third readings and be engrossed and sent to the Senate? Mr. Blow moved it lie upon the table, but it was not agreed to, and the question recurred, was put and decided in the affirmative.

H. 196, to raise the per diem of the Members and Speakers of the General Assembly. Mr. Baxter moved to postpone the same indefinitely, and withdrew the motion. Mr. Lewis of Wake moved to amend by inserting "four dollars" instead of "five dollars." Mr. Parker moved to lay the question thereon upon the table, and it was not agreed to, and the amendment was adopted. Mr. Jenkins moved to amend as follows: "Provided; however, That this additional per diem shall not be allowed to members of this Assembly," and it was adopted. Mr. Leach then moved the bill and amendments be indefinitely postponed; and the question thereon was put, and

Decided in the affirmative—Yeas .....	83
Nays .....	22

On motion of Mr. Dancy,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Blanton, Bridgers, Bynum, Bullock, Caldwell, Cansler, Clark, Cotten, Cox of Perquimons, Crump, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Foster, Gaither, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Humphrey, Jarvis, Jennett, John-

ston, Jones, Kelly, Leach, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mann, March, Martin, Masten, Matthews, McIntosh, Montgomery, Moore, Ogburn, Outerbridge, Parker, Patterson, Pearson, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scales, Scott, Settle, Sharp, Siler, Smallwood, Southerland, Speer, Speight, Strayhorn, Thompson, Toms, Waddill, Waugh, Williamson, Withers and Yancy.

And the following voted in the negative, viz:

NAYS.—Messrs. Bledsoe, Cox of Jones, Dancy, Ferebee, Holmes, Jenkins, Leitch, Lewis of Wake, Love, Mabry, Mason, Mosely, Outlaw, Pitchford, Rumley, Slaughter, Stewart, Tate, Ward, White of Cabarrus, Whitson and Wilson.

So the bill was indefinitely postponed.

H. R. 199, in favor of Thomas Wilson, of Cleveland, then being read, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Gentry,

He had leave to withdraw from the files the petition of Edwin Carson and others, in favor of the new county of Mt. Vernon or Alleghany.

H. 201, to improve Yadkin river in the county of Perquimons; the question being shall this bill pass the second reading, the hour for the adjournment arrived, and the House adjourned.

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#### THURSDAY, 15<sup>TH</sup> JANUARY, 1857.

The following bills, etc., were reported on as follows, viz:

H. 349, by Mr. Hargrove, from propositions and grievances, favorably.

H. 370, by the same, from the same committee, favorably; and he also reported from the same committee unfavorably upon the letter and proceedings of the total abstinence society of Perquimons county.

H. 372, by Mr. Jenkins, from judiciary, unfavorably.

H. 405, by Mr. Waugh, from private bills, favorably.

H. 408, by same, from same, favorably.

H. 410, by Mr. Benbury, from propositions and grievances, with amendments, and favorably.

On motion of Mr. Humphrey,

*Ordered*, That the use of the hall be granted the Rev. Dr. F. M. Hubbard, for a lecture upon the life and services of Richard Caswell, on Friday night from 7 o'clock.

On motion of Mr. Siler,

*Resolved*, That the committee on internal improvements enquire into the expediency of placing the Western Turnpike Road under the control of the county courts of the counties through which it passes until the next meeting of this Assembly, and report by bill or otherwise.

Bills, etc., of the following titles were introduced, read, passed the first reading, and were referred, or filed for the second reading, or otherwise disposed of as follows, viz:

By Mr. Montgomery: a joint resolution (No. 428) in favor of John W. Wilson, of Alanance. To propositions and grievances.

By Mr. Scott: a bill (No. 429) to charter Euhara Lodge of Independent Odd Fellows, in Randolph county.

By Mr. Martin: a bill (No. 430) to change the term time of the county court of Ashe, and the petition of Joseph Dobson and others.

By Mr. Benbury: a bill (No. 431) to protect mechanics and artizans.

By Mr. Holmes: a bill (No. 432) to amend the R. C., chapter 7, title Attachment. To judiciary.

By Mr. Davidson: a bill (No. 433) to authorise the establishment of a military school by lottery.

By Mr. Morrison: a joint resolution (No. 434) in favor of James Blount, of Robeson county.

By Mr. Dills: a bill (No. 435) to amend the turnpike law in the county of Jackson.

And the House then proceeded with the unfinished business, being

H. 201, and the question "shall this bill pass the second reading?" was put and



Decided in the negative—Yeas ..... 28  
 Nays ..... 66

On motion of Mr. Jenkins,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Benbury, Bethea, Clarke, Cox of Jones, Cox of Perquimons, Eborn, Elliott, Ferebee, Foster, Holmes, Jennett, Jones, Kelly, Love, Mabry, Mann, Mason, Outlaw, Parker, Rumley, Siler, Slaughter, Smallwood, South-erland, White of Cabarrus, Whitson and Wilson.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Caldwell, Cotten, Dancy, Eller, Folk, Gait-her, Gentry, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Humphrey, Jarvis, Jenkins, Johnston, Leach, Leitch, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, March, Masten, Matthews, Mont-gomery, Moore, Mosely, Ogburn, Outerbridge, Patterson, Pearson, Pickett, Pitchford, Rand, Rankin, Reeves, Rushing, Sauls, Scales, Scott, Settle, Speer, Speight, Stewart, Stiles, Strayhorn, Thompson, Tomlinson, Toms, Waddill, Waugh, White of Sampson, White of Bladen, Williamson and Withers.

H. R. 202, concerning the Mexican preamble; the question being "Shall this resolution pass the second reading?" Mr. Reeves moved that it be made the special order for Monday next, at 11 o'clock. Mr. Baxter moved the question thereon be laid upon the table, and it was not adopted, there being counted

In the affirmative ..... 45 votes.

In the negative ..... 58 "

Mr. Outlaw moved the resolution be postponed until the fourth day of March, and the question thereon was put, and

Decided in the negative—Yeas ..... 45

Nays ..... 67

On motion of Mr. Outlaw,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Benbury, Blow, Bynum, Caldwell,

Clarke, Cox of Perquimons, Crump, Eborn, Eller, Elliott, Ferebee, Folk, Foster, Gaither, Hackney, Houck, Jarvis, Jennett, Jolinson, Leach, Leitch, Little, Mabry, Mann, March, Martin, McIntosh, Moore, Ogburn, Outlaw, Outerbridge, Pickett, Rumley, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Waddill, Ward, White of Cabarras, Whitson and Wilson.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Bridgers, Bright, Bullock, Cansler, Cotten, Cox of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Green, Hall, Harrell, Hargrove, Hester, Hill of Stokes, Holmes, Humphrey, Jenkins, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Morrison, Mosely, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rushing, Sauls, Scales; Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waugh, White of Sampson, White of Bladen, Williamson, Withers and Yancy.

The question then recurred, when it being twelve o'clock, the House proceeded to consider the special order, viz:

S. 229, an engrossed bill from the Senate to charter the Trent River and Tuckahoe Navigation Company, the question being shall this bill pass the second reading? Mr. Humphrey moved the same be postponed until half-past three o'clock, and Mr. Baxter moved the yeas and nays thereon be ordered, when Mr. Humphrey withdrew his motion, and the question recurred. Mr. Benbury offered an amendment, which was not adopted; and the question was put, and

Decided in the negative—Yeas.....	39
Nays .....	68

On motion of Mr. Outerbridge,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Bethea, Blanton, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Davidson, Elliott, Erwin, Foster, Hall, Holmes, Humphrey, Jennett, Jones, Kelly, Leach, Leitch, Little, Love, Mabry, Mann, Matthews, Meares,

Morrison, Pearson, Ramsour, Routh, Rumley, Sharp, South-  
 erland, Stewart; Toms, Waddill, Ward, White of Cabarrus,  
 White of Bladen and Whitson.

And the following voted in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Baxter, Bledsoe, Bridg-  
 ers, Bynum, Bullock, Caldwell, Cotten, Dancy, Dargan, Dills,  
 Eborn, Eller, Ferebee, Gaither, Gentry, Green, Hackney,  
 Hargrove, Hester, Hill of Stokes, Hill of Halifax, Jarvis, Jen-  
 kins, Johnston, Lewis of Wake, Lewis of Nash, Long, Lyon  
 of Orange, Lyon of Granville, March, Martin, Mason, Mas-  
 ten, McIntosh, Montgomery, Moore, Mosely, Ogburn, Out-  
 law, Outerbridge, Parker, Patterson, Pitchford, Rand, Ran-  
 kin, Reeves, Richardson, Rushing, Sauls, Scales, Scott, Set-  
 tle, Slaughter, Smallwood, Speer, Speight, Stiles, Strayhorn,  
 Thompson, Tomlinson, Waugh, White of Sampson, William-  
 son, Wilson, Withers and Yancy.

So this bill did not pass the second reading, and the House  
 resumed the calendar.

H. R. 202, and the question recurred: Shall this resolution  
 pass the second reading? Mr. Settle moved to amend as  
 follows, viz :

“Strike out all after the word ‘resolved’ and insert as fol-  
 lows, viz: That the words ‘by the action of the Executive  
 and the subsequent sanction of Congress,’ in the preamble to  
 the resolution of the General Assembly of 1846-'47, ratified  
 the 18th January, 1847, providing for equipping volunteers  
 in the war with Mexico, be expunged, by drawing black lines  
 around them, leaving it to read: ‘Whereas, this republic is  
 involved in a foreign war, etc.’”

And the question being thereon it was adopted, and the  
 question being upon the adoption of the resolution as amend-  
 ed, Mr. Caldwell moved to amend as follows :

“Also that three hundred dollars be appropriated to pur-  
 chase a sword for Major Stokes.”

And it was not adopted. Mr. Caldwell then moved the  
 following amendment, viz :

“And, whereas, John C. Calhoun expressed the same senti-  
 ment on the floor of the United States Senate as are contained



in this preamble; therefore, be it further resolved, that the said declarations by the said John C. Calhoun be and the same are hereby expunged as far as we have the right and ability to do so."

Mr. Lewis of Wake objecting raised the question of order: "Whether it was competent in a proposition to expunge in part a preamble in a joint resolution of this Assembly, to amend the sentiments of a member of the United States Senate?" The Speaker decided it was not in order, and the decision was not appealed from and passed as the judgment of the House. Mr. Caldwell then moved to amend as follows:

"Resolved further, that we hereby condemn the policy of James K. Polk in giving to Santa Anna a pass to let him enter into Mexico to take the command of the Mexicans who were arrayed in hostility against us, and who he asserted had shed American blood on American soil."

And the question thereon was put, and

Decided in the negative—Yeas .....	5
Nays .....	72

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Caldwell, Ferebee, Gaither, Mann and Slaughter.

The following members voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bright, Bullock, Cansler, Clarke, Cotten, Cox of Jones, Dargan, Davidson, Dills, Eller, Erwin, Green, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, McIntosh, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rumley, Rushing, Sauls, Scales, Settle, Siler, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, Williamson, Wilson and Withers.

The question recurring, Mr. Scott moved it be "referred to

a special committee of five members of the democratic party," and withdrew it. The same motion was made by Mr. Mann, and it was not adopted; and the question recurred, when Mr. Mann moved it be laid upon the table; and the question thereon was put, and

Decided in the negative—Yeas .....	36
Nays .....	70

On motion of Mr. Mann,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Baxter, Bynum, Caldwell, Cotten, Cox of Perquimons, Crump, Eborn, Eller, Elliott, Ferebee, Foster, Gaither, Hackney, Houck, Jennett, Leach, Leitch, Little, Mabry, Mann, March, Martin, McIntosh, Meares, Ogburn, Outlaw, Richardson, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Waddill, White of Cabarrus and Wilson.

And the following voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bullock, Cansler, Clarke, Cox of Jones, Davidson, Dills, Erwin, Gentry, Green, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Bladen, Williamson, Withers and Yancy.

So the House refused to lay the question upon the table, and it recurred, when Mr. Sharpe moved to amend as follows:

*Resolved*, That the sum of three hundred dollars be appropriated out of any monies not otherwise appropriated in the public treasury, for the purpose of purchasing a sword for Captain R. P. Campbell, of Iredell county, for gallant services in said Mexican war.

And the question being thereon, the hour for the adjournment at hand, Mr. Hill of Halifax offered the following :

*Resolved*, That the rule concerning the sessions of this House be suspended, and that the House remain in its present session until the question now before it is disposed of.

And the question thereon was put, and

Decided in the affirmative—Yeas ..... 76

Nays ..... 34

On motion of Mr. Outlaw,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bullock, Cansler, Clarke, Cotten, Cox of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Green, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, McIntosh, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Settle, Siler, Smallwood, Southerland, Speight, Stewart, Stiles, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Bladen, Williamson, Withers and Yancy.

The following voted in the negative, viz :

NAYS.—Messrs. Badham, Baxter, Bynum, Caldwell, Cox of Perquimons, Crump, Eborn, Eller, Elliott, Ferebee, Foster, Gaither, Hackney, Houck, Jennett, Leach, Leitch, Little, Mabry, Mann, March, Martin, Meares, Ogburn, Outlaw, Pickett, Richardson, Scott, Sharp, Slaughter, Speer, Wadhill, White of Cabarrus and Wilson.

So the House declared the session permanent for the decision of this question.

At 3 o'clock and 10m., Mr. Martin moved the House do now adjourn, and the question thereon was put, and it was not adopted; and the question recurring, Mr. Mann moved to amend by appropriating five thousand dollars to the purpose of erecting a monument to the late Louis D. Henry, of



Edgecombe, to be erected in the town of Tau-boro'; and the question thereon was put and

Decided in the negative—Yeas .....	2
Nays .....	82

On motion of Mr. Mann,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Leach and Mann.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bright, Bullock, Cansler, Clarke, Cotten, Cox of Jones, Dancy, Dargan, Davidson, Dills, Eller, Erwin, Ferebee, Gaither, Gentry, Green, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, McIntosh, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Scott, Settle, Siler, Slaughter, Smallwood, South-erland, Speer, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Cabarrus, Williamson, Wilson and Withers.

So this amendment was rejected. Mr. Scott moved the question be indefinitely postponed; and this motion was put, and

Decided in the negative—Yeas .....	26
Nays .....	62

On motion of Mr. Scott,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Bynum, Cox of Perquimons, Crump, Dargan, Eborn, Eller, Elliott, Gaither, Hackney, Houck, Jennett, Leitch, Mann, Martin, McIntosh, Ogburn, Pickett, Richardson, Scott, Siler, Slaughter, Speer, Stiles, White of Cabarrus and Wilson.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Blanton, Bledsoe, Blow, Bridgers, Bright, Bullock, Cansler, Cox of Jones, Dancy, Davidson,

Dills, Erwin, Gentry, Green, Hall, Hargrove, Hester, Hill of Stokes, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, Williamson and Withers.

So the House refused to postpone.

At 3 o'clock, 55m., Mr. Montgomery moved the House do adjourn; and the question thereon was put, and it was not adopted. The question was then put upon the amendment of Mr. Sharp, and

Decided in the negative—Yeas .....	15
Nays .....	82

On motion of Mr. Sharp,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Caldwell, Cox of Perquimons, Ferebee, Gaither, Leach, Mabry, Mann, March, Outlaw, Scott, Sharp, Slaughter, Waddill, White of Cabarrus and Wilson.

The following members voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clarke, Cotten, Cox of Jones, Crump, Dancy, Davidson, Dills, Elliott, Erwin, Gentry, Glass, Green, Hall, Hargrove, Hester, Hill of Stokes, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, McIntosh, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Reeves, Routh, Rushing, Sauls, Scales, Settle, Siler, Smallwood, Southerland, Speer, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Bladen, Whitson, Williamson, Withers and Yancy.

Mr. Mann offered an amendment as follows: "That 300

dollars be appropriated for a sword to Col. Robert T. Paine of Chowan, pending which, Mr. Caldwell moved that the question be referred to the committee on the judiciary; and this question was put, and

Decided in the negative—Yeas .....	26
Nays .....	78

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Caldwell, Cox of Perquimons, Crump, Eborn, Elliott, Ferebee, Foster, Gaither, Houck, Jennett, Leach, Little, Mabry, Mann, March, Martin, Ogburn, Pickett, Scott, Sharp, Slaughter, Stiles, Waddill, White of Cabarrus and Wilson.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bullock, Cansler, Clarke, Cox of Jones, Dancy, Davidson, Dills, Eller, Erwin, Gentry, Glass, Green, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, McIntosh, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rankin, Reeves, Routh, Rushing, Sans, Scales, Settle, Siler, Smallwood, Sotherland, Speer, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Wagh, White of Sampson, White of Bladen, Whitson, Williamson, Withers and Yancy.

The question then being put upon the amendment of Mr. Mann, it was not adopted; and the question recurred upon the resolution, was put, and

Decided in the affirmative—Yeas .....	74
Nays .....	36

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bullock, Cansler, Clarke, Cox of



Jones, Dancy, Davidson, Dills, Erwin, Gentry, Glass, Green, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Bladen, Williamson, Withers and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Baxter, Benbury, Caldwell, Cox of Perquimons, Crump, Eborn, Eller, Elliott, Ferebee, Foster, Gaither, Hackney, Houck, Jennett, Leach, Leitch, Little, Mann, March, Martin, McIntosh, Ogburn, Outlaw, Pickett, Richardson, Rumley, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Waddill, White of Cabarrus, Whitson and Wilson.

So the resolution passed the second reading. Mr. Humphrey moved the rule be suspended, and the resolution read the third time, and it was

Decided in the affirmative—Yeas ..... 77

Nays ..... 24

On motion of Mr. Caldwell.

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS —Messrs. Ballham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bullock, Cansler, Clarke, Cox of Jones, Dancy, Davidson, Dills, Eller, Erwin, Gentry, Glass, Green, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson,

White of Bladen, Whitson, Williamson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Baxter, Benbury, Caldwell, Cox of Perquimons, Eborn, Ferebee, Houck, Jennett, Leitch, Little, Mann, Martin, McIntosh, Outlaw, Pickett, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Waddill, White of Cabarrus and Wilson.

So the rule being suspended, the resolution was read the third time, and the question put, shall it pass the third reading and be engrossed and sent to the Senate, when it being 5 o'clock and 57m., Mr. Pickett moved the House do now adjourn, and it was not adopted. The question recurring, Mr. Settle moved to amend as follows :

“After the word ‘expunge’ insert viz : ‘by the Principal Clerk of the House of Commons in the presence of the House, on the day after this resolution shall be passed by the Senate.’”

And it was adopted ; and the question recurring, Mr. Ferebee moved it be laid upon the table, and it was put and

Decided in the negative—Yeas .....	16
Nays .....	74

On motion of Mr. Ferebee,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Benbury, Cox of Perquimons, Eborn, Eller, Ferebee, Gaither, Houck, Leitch, Little, Mabry, Mann, McIntosh, Pickett, Scott, Slaughter and Waddill.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Bridgers, Bright, Bynum, Bullock, Cansler, Clarke, Dancy, David-on, Dills, Erwin, Gentry, Glass, Green, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsonr, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speer,

Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waugh, White of Sampson, White of Bladen, Whitson, Williamson, Withers and Yancy.

And then the question recurred, was put and

Decided in the affirmative—Yeas .....	69
Nays .....	19

On motion of Mr. Scott,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Bridgers, Bright, Bullock, Cansler, Clarke, Davidson, Dills, Erwin, Gentry, Glass, Green, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Morrison, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, White of Bladen, Williamson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Benbury, Bynum, Cox of Perquimons, Eller, Gaither, Houck, Leitch, Little, Mabry, Mann, March, McIntosh, Ogburn, Pickett, Richardson, Scott, Slaughter, Speer and Waddill.

So the resolution passed the third reading.

*Ordered*, That it be engrossed and sent to the Senate; and it was immediately engrossed and sent to the Senate.

Mr. Davidson moved that the vote by which H. 189, concerning escheats, had passed, be reconsidered, and then moved the motion lie upon the table, and it was so ordered; whereupon,

It being 6 o'clock and 40m. the House, on motion of Mr. Settle, adjourned.



FRIDAY, 16TH JANUARY, 1857.

After the journal of yesterday had been read, Mr. Mann said that by his amendment appropriating 5,000 dollars to the purpose of erecting a monument to Louis D. Henry, at Tauborough, he intended to propose a monument at that place to the late Colonel Louis D. Wilson of that county, and he asked that the journal be corrected accordingly. Objection being made, the Speaker said, the application was to "strike out and insert," and not to "correct" an entry on the journal, and, therefore, he had not directed the same to be done. Mr. Mann then moved for leave to strike out "Henry" and insert "Wilson" in the amendment. Mr. Holmes moved to lay the motion on the table, and the question thereon was put, and

Decided in the affirmative—Yeas .....	52
Nays .....	35

On motion of Mr. Mann,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Bethea, Bledsoe, Blow, Bridgers, Clarke, Dancy, Davidson, Dills, Erwin, Gentry, Green, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Lyon of Orange, Lyon of Granville, Masten, Montgomery, Moore, Outerbridge, Parker, Patterson, Pearson, Ramsour, Rankin, Reeves, Sauls, Scales, Settle, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Waugh, Williamson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Bullock, Caldwell, Cox of Perquimons, Crump, Eborn, Eller, Ferebee, Foster, Gilliam, Glass, Houck, Jennett, Leach, Little, Love, Mabry, March, Mason, McIntosh, Meares, Pickett, Rand, Richardson, Rushing, Scott, Sharp, Siler, Smallwood, Speer, Stiles, Stubbs, Tomlinson, White of Bladen, Wilson and Yancy.

Mr. Lewis of Wake introduced the memorial of the Raleigh Baptist Association. Referred to propositions and grievances.

Mr. Patterson the memorial of John Long and others, of Guilford county, concerning the public road law. Referred to propositions and grievances with H. 415.

Mr. Dancy, from the committee on agriculture, reported upon that part of the Governor's message referred to them, and recommended that the geological survey be continued. Mr. Withers dissented.

On motion of Mr. Waugh,

The report was ordered to be printed.

The bills, etc., following were reported as follows, viz :

H. R. 210, by Mr. Scales, from finance, favorably with amendments ;

H. 281, by the same, from the same committee, unfavorably ;

H. 291, by the same, from the same committee, unfavorably ;

H. 310, by the same, from the same, with amendments ; also, unfavorably,

The resolution of Mr. Pickett proposing additional subjects of taxation ; and the petition of William Matthews and others for fees to justices of the peace.

Mr. Montgomery, from the special committee upon the bill (S. 352) concerning the coupon bonds of the N. C. Railroad Company, reported the same with an amendment, and so amended, recommended that it pass.

Bills, etc., of the following titles were introduced, read, passed the first reading, and were referred or filed for the second reading as follows, viz :

By Mr. Mabry : a bill (No. 436) for the relief of the Ward Gold Mining Company, in the county of Davidson.

By Mr. Holmes : a bill (No. 437) concerning the Bank of Cape Fear, and a memorial. Ordered to be printed and referred to corporations and the currency.

And the following from the Senate, viz :

No. 438, a joint resolution concerning Emmons' report ; which, the rule being suspended, also passed the second and third readings, and was ordered to be enrolled.

No. 439, a bill to recharter the Bank of the State of North Carolina. Special order for Wednesday next at 11 o'clock.

No. 440, a bill to change the term of court in Chowan

county; which, the rule being suspended, was also read the second and third times, passed and ordered to be enrolled.

On motion of Mr. Davidson,

The House took up his motion to reconsider the vote by which the bill (No. 189) concerning escheats, etc., had passed the third reading in this House; and the question being, shall the said vote be now reconsidered; it was

Decided in the negative—Yeas ..... 15

Nays ..... 96

On motion of Mr. Dills,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Baxter, Bledsoe, Bridgers, Clarke, Dancy, Davidson, Elliott, Eerebee, Jenkins, Leitch, Meares, Outlaw, Siler, Stiles and Wilson.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Blow, Bynum, Bullock, Caldwell, Cansler, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dills, Eborn, Eller, Erwin, Folk, Foster, Gaither, Gentry, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Humphrey, Jarvis, Jennett, Johnston, Jones, Kelly, Leach, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, March, Martin, Mason, Masten, Matthews, McIntosh, Montgomery, Moore, Morrison, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Sauls, Scales, Scott, Sharp, Slaughter, Smallwood, Southerland, Speer, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson, Withers and Yancy.

Mr. Reeves moved that the vote by which an engrossed bill from the Senate, (S. 229) to charter the Trent River and Tuckahoe Navigation Company had been rejected be reconsidered, and that the motion lie upon the table. A division of the question being demanded, the motion to lay upon the



table was first put, and it did not prevail; and the question being "shall the vote be now reconsidered?" it was not adopted.

The House proceeded to the special order, being H. 10, to aid in the construction of the Western Railroad; the question being "shall this bill pass the second reading?" Mr. Shepherd, offered an amendment, Mr. Reeves an amendment to the amendment; and the question being thereon, it was not adopted; and the question being upon the amendment, Mr. Humphrey moved to amend the same as follows, viz:

"Strike out all after the enacting clause, and insert H. 12, to charter a railroad from Beaufort Harbor to the Coalfields of Chatham."

And the question being thereon, the hour for the adjournment arrived, and the House adjourned.

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AFTERNOON SESSION, FRIDAY, 16TH JANUARY.

Mr. Cowper was announced with a message from the Governor, enclosing a letter from Matthew Shaw, one of the literary board, concerning the Plymouth and Pungo lands.

On motion of Mr. Humphrey,

*Ordered*, That they be sent to the Senate, with a proposition to print.

The Senate proposed to raise a joint committee concerning a monument at Independence square, Philadelphia, Pennsylvania; and the House concurring therein, the Speaker appointed Messrs. Settle, Little and Green, on the part of the House.

The following entitled bills, etc., were reported as follows, viz:

H. R. 340, by Mr. Scales, from finance; favorably.

H. 344, by Mr. McIntosh, from education; favorably.

H. R. 382, by the same, from the same committee; favorably.

H. 420, by Mr. Elliott, from the same; favorably.

The unfinished business,

H. 10, being resumed, the question was put upon the motion of Mr. Humphrey to strike out and insert, and a division

being demanded, the question was put "shall all after the enacting clause be stricken out?" and it was

Decided in the negative—Yeas ..... 26  
 Nays ..... 83

On motion of Mr. Humphrey,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Bledsoe, Blow, Bridgers, Cox of Jones, Dancy, Hester, Hill of Halifax, Humphrey, Johnston, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Mason, Parker, Rand, Rumley, Sauls, Sharp, Smallwood, Sutherland, Speight, Ward, White of Sampson, Whitson and Withers.

The following members voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Baxter, Benbury, Blanton, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Crump, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Ferebee, Foster, Gaither, Gentry, Gilliam, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hill of Stokes, Houck, Holmes, Jarvis, Jenkins, Jennett, Jones, Kelly, Leach, Little, Love, Lyon of Granville, Mabry, Mann, Martin, Masten, Matthews, McIntosh, Meares, Montgomery, Moore, Morrison, Ogburn, Outerbridge, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Scott, Settle, Siler, Slaughter, Speer, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Waugh, Williamson, Wilson and Yancy.

So the motion of Mr. Humphrey, to strike out all after the enacting clause of the bill, in order to insert the other bill aforesaid, did not prevail, and the question recurred. Mr. Montgomery moved to amend the second section by striking out the word "secured" and inserting the word "paid," and it was adopted. Mr. Caldwell moved to amend by striking out the words "by note or otherwise," in the same section, and it was adopted. Mr. Humphrey offered an amendment, which was adopted; and the question was put, and

Decided in the negative—Yeas ..... 53  
 Nays ..... 57

On motion of Mr. Lewis of Wake,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Bethea, Blanton, Bynum, Caldwell, Cansler, Clarke, Cotten, Crump, Davidson, Dills, Eller, Elliott, Erwin, Ferebee, Foster, Gentry, Glass, Hackney, Hall, Harrell, Houck, Holmes, Jones, Kelly, Leitch, Little, Love, Mabry, Martin, Matthews, McIntosh, Meares, Morrison, Ogburn, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Sharp, Siler, Speer, Stewart, Stiles, Tate, Toms, Waddill, Whitson and Yancy.

The following voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Baxter, Bledsoe, Blow, Bullock, Cox of Jones, Cox of Perquimons, Dancy, Eborn, Gaither, Gilliani, Green, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mann, Mason, Masten, Montgomery, Moore, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Rand, Rumley, Sauls, Scales, Scott, Settle, Slaughter, Smallwood, Southerland, Speight, Strayhorn, Stubbs, Thompson, Tomlinson, Ward, Waugh, White of Sampson, Williamson, Wilson and Withers.

Mr. Bridgers paired off with Mr. Leach.

Mr. White of Bladen with Mr. Mosely.

The House again considered the matter of its disagreement with the Senate, concerning the bill (H. 23) to charter the Holly Springs High School, and

On motion of Mr. Lewis of Wake,

Adhered to its disagreement; whereupon,

On motion of Mr. Dancy,

*Ordered*, That a message be sent to the Senate proposing that the subject be referred to a joint committee of conference; and the hour for the adjournment having arrived, the House adjourned.



SATURDAY, 17TH JANUARY, 1857.

Mr. Benbury, from the select committee, to whom was referred the bill (No. 128) to remove free negroes from the State, reported a substitute for the same, and recommended that it do pass.

On motion of Mr. Bledsoe,

A joint resolution (S. R. 427) concerning the coupons in the Treasury office was, the rule being suspended, read the second and third times, passed the second and third readings, and ordered to be enrolled.

The Speaker signed the enrolled bills entitled as follows, they being reported by the committee upon that subject to have been compared diligently with the originals and found correct, viz :

H. 110, to prevent the felling of timber in Enoe river.

H. R. 162, in favor of and concerning Capitol square.

S. 183, concerning inspectors of naval stores in Wilmington.

H. 232, for the relief of the Insane Asylum.

H. 272, concerning the town of Wilson.

H. 393, concerning sales of real estate by sheriffs.

S. 395, concerning coupon bonds of the State.

S. R. 438, concerning the report of Prof. Emmons.

S. 440, concerning courts, etc., in Chowan county.

On motion of Mr. Gilliam,

The motion of Mr. Mann, relative to the correction of the journal of Thursday, was taken up from the table, and the question recurring, Mr. Mann, with the leave of the House, withdrew the motion. Mr. Morrison renewed the motion. Mr. Outlaw rose to a point of order, and stated the point to be that it was not in order to move to amend the journal on the day after the same had been read. The Chair sustained the objection, and there being no appeal this decision passed as the judgment of the House.

Bills, etc., of the following titles were introduced, read for information, passed the first reading, and were referred, or

filed for the second reading, or otherwise disposed of as follows, viz:

By Mr. Thompson: a bill (No. 441) concerning the institution for the deaf, dumb and blind.

By Mr. Glass: a bill (No. 442) to amend LL. 1839, concerning the charter of Morganton, in the county of Burke. To propositions and grievances.

By Mr. Meares: a bill (No. 443) relative to the clerk of the county court of New Hanover.

By Mr. Stubbs: a bill (No. 444) to amend the R. C., chapter 26, title Corporations, ss. 14, 17. And the rule being suspended,

This bill passed also the second and third readings,  
*Ordered*, To be engrossed and sent to the Senate.

The following bill was received from the Senate:

No. 455, to charter the town of Stricklandsville, in the county of Duplin.

The House then proceeded with bills on the calendar for the second reading, as follows, viz:

H. 51, for the protection of the laborer and the mechanic. Mr. Lewis of Wake, moved that the bill be so amended as that its provisions shall apply to the following counties only, namely: Wake, Pasquotank, Craven, Carteret, New Hanover, Brunswick, Cleveland, Duplin, Cabarrus, Rowan, Warren, Franklin, Wayne and Mecklenburg, and it was adopted; and then the question being, Shall this bill pass the second reading? was put and decided in the negative; there being counted,

In the affirmative ..... 29 votes,

In the negative ..... 47 “

On motion of Mr. Leitch,

The bill (No. 377) to repeal an act concerning the superior and county courts of Robeson county, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

Mr. Scales moved the rule be suspended, and the bill No. 292, to amend the charter of the Carolina Female College,

put through the second and third readings, and it was not adopted.

The House then resumed the calendar.

II. 57, to give the election of Judges, etc., to the people, was read the second time, and the question being, shall this bill pass the second reading? Mr. Davidson moved an amendment, pending which, Mr. Jenkins moved to postpone the bill till the fourth day of March. Mr. Settle moved to lay the bill upon the table; and the question upon this being put, was

Decided in the affirmative—Yeas .....	63
Nays .....	35

On motion of Mr. Stubbs,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Cansler, Clarke, Cox of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Glass, Green, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Jarvis, Jenkins, Jones, Kelly, Lewis of Wake, Lewis of Nash, Love, Lyon of Orange, March, Mason, Matthews, Montgomery, Moore, Morrison, Outerbridge, Parker, Patterson, Pearson, Pitchford, Raud, Rankin, Routh, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thomson, Tomlinson, Toms, Ward, White of Sampson, White of Bladen, Whitson, Williamson and Withers.

And the following voted in the negative, viz:

NAYS.—Messrs. Baxter, Benbury, Bynum, Cotten, Cox of Perquimons, Crump, Eller, Ferebee, Folk, Gaither, Gilliam, Hackney, Houck, Jennett, Leitch, Little, Mann, Martin, Masten, McIntosh, Meares, Ogburn, Outlaw, Pickett, Richardson, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Stubbs, Waddill, Wilson and Yancy.

Bills of the following titles, under a suspension of the rules, passed the second and third readings, viz:

II. 244, to charter the Garysburg and Windsor Railroad Company.



H. 195, to charter the Albemarle and Suffolk Railroad Company.

*Ordered*, That they be engrossed and sent to the Senate.

On motion of Mr. Gilliam,

H. 343, to charter the Southern Air Line Railroad Company, was read the second time, and the question being, shall the bill pass? Mr. Ferebee moved that the sixth section be stricken out, and it was adopted. Mr. Stubbs moved to amend by inserting in the 11th line of the first section the words following, viz: "through or within a quarter of a mile of the town of Washington, in the county of Beaufort," and it was adopted. The question was then put and

Decided in the affirmative—Yeas ..... 73

Nays ..... 12

On motion of Mr. Strayhorn,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Blanton, Blow, Bynnin, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Ferebee, Gaither, Gentry, Gilliam, Glass, Green, Hackney, Hall, Harrell, Hill of Halifax, Houck, Humphrey, Jarvis, Jenkins, Jennett, Jones, Kelly, Lewis of Wake, Little, Love, Lyon of Orange, Mann, March, Martin, Mason, Masten, Matthews, McIntosh, Meares, Montgomery, Morrison, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Ramsour, Rankin, Richardson, Routh, Rumley, Rushing, Scales, Scott, Settle, Siler, Slaughter, Smallwood, Stewart, Stiles, Stubbs, Thompson, Toms, Waddill, Ward, White of Sampson, Williamson and Wilson.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Bledsoe, Hargrove, Hester, Lewis of Nash, Moore, Pitchford, Sauls, Southerland, Speight, Strayhorn and Tate.

So the bill passed the second reading.

Mr. Jenkins moved the House adjourn until 10 o'clock on Monday morning; and the question thereon was put, and

Decided in the negative—Yeas ..... 32

Nays ..... 51

On motion of Mr. Montgomery,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Cox of Jones, Gilliam, Green, Humphrey, Jenkins, Jones, Lewis of Wake, Mann, Martin, Masten, McIntosh, Moore, Ogburn, Outlaw, Patterson, Rand, Reeves, Ronth, Rumley, Sauls, Settle, Slaughter, Southerland, Speer, Stewart, Stubbs, Thomson and Wilson.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Blanton, Bledsoe, Blow, Bynum, Clarke, Cotten, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Ferebee, Gentry, Glass, Hackney, Hall, Hargrove, Harrell, Hester, Houck, Jarvis, Jennett, Kelly, Lewis of Nash, Little, Love, Lyon of Orange, March, Mason, Matthews, Montgomery, Morrison, Outerbridge, Parker, Pearson, Pitchford, Ramsonr, Richardson, Rushing, Scales, Scott, Smallwood, Speight, Stiles, Strayhorn, Tate, Toms, Waddill, White of Sampson and Withers.

So the House refused to adjourn; and the bill being read the third time, and the question put, passed the third reading. *Ordered*, That it be engrossed and sent to the Senate.

Mr. Gilliam moved that the vote by which the House had rejected the bill (H. 10) to aid in the construction of the Fayetteville and Western Plankroad be reconsidered; and he further moved that motion be laid upon the table, and the last motion was put, and

Decided in the affirmative—Yeas .....	48
Nays .....	35

On motion of Mr. Parker,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Blanton, Blow, Bynum, Clarke, Cotten, Cox of Perquimons, Davidson, Dills, Eller, Ferebee, Gaither, Gentry, Gilliam, Glass, Hackney, Hall, Harrell, Houck, Jenkins, Jones, Kelly, Little, Love, Mann, March, McIntosh, Meares, Morrison, Oglby, Outlaw, Reeves, Richardson, Rumley, Rushing, Scales, Scott,

Slaughter, Speer, Stewart, Stiles, Tate, Toms, Ward and White of Sampson.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Bledsoe, Cox of Jones, Crump, Dancy, Green, Hargrove, Hester, Humphrey, Jarvis, Jennet, Lewis of Wake, Lewis of Nash, Lyon of Orange, Mason, Masten, Matthews, Montgomery, Moore, Outerbridge, Parker, Patterson, Pearson, Pitchford, Sauls, Settle, Smallwood, Southerland, Speight, Strayhorn, Stubbs, Thompson, Williamson, Wilson and Withers.

The hour for the adjournment arriving the House adjourned.

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AFTERNOON SESSION, SATURDAY, 17TH JANUARY.

The Senate informed the House that they had passed the H. 193, to change the name of the school at New Institute to Olin High School, after striking out the proviso, which refused the school the faculty of conferring degrees, and asked the concurrence of the House therein, and the House concurred.

*Ordered*, That the bill be enrolled.

On motion of Mr. Meares,

H. 203, was laid upon the table.

On motion of Mr. Thompson,

The rule being suspended (H. 225) to amend the charter of the Atlantic and N. C. Railroad, was read the second time, and the question put, Shall this bill pass?

At 3 o'clock and 55m., Mr. Blow moved the House do now adjourn, and the question thereon was put, and

Decided in the negative—Yeas ..... 30

Nays ..... 56

On motion of Mr. Montgomery,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Blow, Caldwell, Crump, Erwin, Green, Hester, Houck, Jarvis, Jenkins, Jones, March, Masten, Matthews, McIntosh, Moore, Og-



burn, Outlaw, Reeves, Routh, Sauls, Scott, Siler, Slaughter, Stiles, Tompson, White of Sampson and Whitson.

And the following in the negative, viz :

NAYS.—Messrs. Blanton, Bledsoe, Bynum, Cansler, Clarke, Cox of Perquimons, Dancy, Davidson, Dills, Eborn, Eller, Ferebee, Gaither, Gentry, Gilliam, Glass, Hall, Hargrove, Harrell, Jennett, Kelly, Lewis of Nash, Little, Long, Love, Lyon of Orange, Mann, Martin, Mason, Meares, Montgomery, Morrison, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Richardson, Rumley, Rushing, Southerland, Speer, Speight, Strayhorn, Stubbs, Tate, Toms, Waddill, Ward, White of Cabarrus, Williamson, Withers and Yancy.

Mr. Hargrove moved the rule be suspended and No. 383 read the second time, and the question thereon was put, and it was not adopted ; and then the House, it being 4 o'clock and 12m.,

On motion of Mr. Jenkins,  
adjourned.

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MONDAY, 19TH JANUARY, 1857.

The Speaker announced the following committee on Enrolled Bills : Messrs. Lewis of Nash, Cox of Perquimons, Long, Harrell and Slaughter.

Mr. Erwin, from the committee on internal improvements, reported a substitute for the bill (No. 350) to charter the Mountain Railroad Company.

Mr. Yancy presented the memorial of David Henderson and others, of the county of Madison, to abolish jury trials in the county courts of that county. Left upon the table.

Bills of the following titles were introduced, read for information, passed, filed for the second reading, referred or otherwise disposed of as follows, viz :

By Mr. Gilliam : a bill (No. 446) to charter the Tau-River Navigation Company.

By Mr. Stubbs: a bill (No. 447) to provide inspectors of wood and fish for the town of Washington.

By Mr. Gentry: a bill (No. 448) to lay off a public road in Ashe county.

By Mr. Meares: a bill (No. 449) concerning oysters and clams; and the rule being suspended, this bill was read again and passed the second and third readings; first, however,

On motion of Mr. Humphrey,

Being amended as follows, viz: in the second section strike out "ten" and insert "five" acres; add to the close of the sixth section "provided that this act shall not apply to the counties of Onslow and Currituck;" and so amended, it was

*Ordered*, That the bill be engrossed and sent to the Senate.

Mr. Stubbs moved that No. 303 be put upon the third reading; but it was not adopted.

On motion of Mr. Stiles,

No. 203, was taken from the table and filed for the second reading.

The House proceeded with the special order, being the bill H. 331, to charter the Rockingham and Coalfield Railroad Company; the question being. Shall this bill pass the second reading? Mr. Badham moved to amend section 2 as follows, viz: "provided said road shall not go within twenty miles of the town of Danville, nor within five miles of the Virginia line." Mr. Benbury moved an amendment thereto, and then the question being taken upon this amendment, it was not adopted, there appearing upon a count

In the affirmative ..... 42 votes.

In the negative ..... 43 "

Mr. Green moved to amend as follows, viz: "provided the said road shall not run within five miles of the Virginia line; and any connection with any road running out of the State, shall work a forfeiture of the charter;" and the question being put thereon, it was

Decided in the negative—Yeas ..... 31

Nays ..... 60

On motion of Mr. Green,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Bledsoe, Cox of Jones, Erwin, Ferebee, Green, Hargrove, Hester, Hill of Halifax, Jarvis, Jenkins, Jones, Lewis of Nash, Long, Lyon of Orange, Mann, Meares, Montgomery, Outerbridge, Parker, Patterson, Pitchford, Sharp, Slaughter, Speight, Strayhorn, Stubbs, Tate, Ward, White of Sampson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Baxter, Bethea, Blanton, Blow, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of P., Crump, Dancy, Davidson, Dills, Eborn, Eller, Elliott, Folk, Gaither, Gentry, Gilliam, Glass, Hackney, Hall, Harrell, Hill of Stokes, Houck, Humphrey, Kelly, Little, Love, March, Martin, Mason, Masten, Matthews, McIntosh, Ogburn, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Scott, Settle, Smallwood, Speer, Stewart, Stiles, Toms, Waddill, White of Cabarrus, White of Bladen, Williamson and Yancy.

And the question recurred, when Mr. Settle moved to amend as follows, viz: "Provided that said road shall not go within nineteen miles of the town of Danville, nor within five miles of the Virginia line." Mr. Bledsoe offered an amendment, which was not adopted; and the question being upon the amendment of Mr. Settle, it was adopted, and the question recurred as follows: Shall this bill pass the second reading? and was put, and

Decided in the affirmative—Yeas .....	73
Nays .....	17

On motion of Mr. Strayhorn,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Blanton, Blow, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimous, Crump, Dancy, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Folk, Gaither, Gentry, Gilliam, Glass, Hackney, Hall, Harrell, Hill of Stokes, Houck, Jenkins, Jennett, Kelly, Little, Love, March, Martin, Mason, Masten, Mat-



thews, McIntosh, Ogburn, Outlaw, Outerbridge, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Scott, Settle, Sharp, Slaughter, Smallwood, Speer, Speight, Stewart, Stubbs, Tate, Toms, Waddill, Ward, White of Sampson, White of Cabarrus, White of Bladen, Williamson, Wilson and Yancy.

And the following voted in the negative, viz :

NAYS.—Messrs. Ferebee, Green, Hargrove, Hester, Humphrey, Jarvis, Jones, Lewis of Nash, Long, Lyon of Orange, Mann, Meares, Montgomery, Parker, Patterson, Strayhorn and Withers.

So the bill passed the second reading.

Mr. Settle moved the rule be suspended, and the bill read the third time.

Mr. Meares moved the House do now adjourn; and the question thereon was put, and

Decided in the negative—Yeas .....	37
Nays .....	53

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Bledsoe, Bright, Cotten, Crump, Dancy, Eborn, Erwin, Ferebee, Gilliam, Green, Hester, Honck, Jarvis, Jennett, Jones, Kelly, Long, Love, Mann, Martin, Meares, Ontlaw, Routh, Sharp, Siler, Slaughter, Stiles, Strayhorn, Stubbs, White of Sampson, White of Bladen, Williamson and Wilson

And the following voted in the negative, viz :

NAYS.—Messrs. Blow, Bynum, Caldwell, Cansler, Cox of Jones, Cox of Perquimons, Davidson, Dills, Eborn, Gaither, Gentry, Glass, Hackney, Hall, Hargrove, Harrell, Hill of S., Hill of H., Humphrey, Jenkins, Lewis of Nash, Little, Lyon of Orange, Mason, Masten, Matthews, McIntosh, Montgomery, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Rumley, Rushing, Scales, Scott, Settle, Smallwood, Speer, Speight, Stewart, Tate, Toms, Waddill, Ward, White of Cabarrus and Yancy.

So the House refused to adjourn, and the question recur-

ed, pending which, the hour for the adjournment arriving the House adjourned.

AFTERNOON SESSION, MONDAY 19TH JANUARY.

The question being upon the motion of Mr. Settle, was put, and no quorum appearing, Mr. Scales moved a call of the House, and the same was ordered. The clerk then proceeded to call the roll and note the absentees, and had called the names of seven members, when a quorum appearing,

On motion of Mr. Scales,

Further proceedings were dispensed with, and the question recurring, Mr. Bledsoe moved it be laid upon the table; and the question thereon was put, and

Decided in the negative—Yeas .....	20
Nays .....	43

On motion of Mr. Bledsoe,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Bledsoe, Ferebee, Green, Hargrove, Hester, Humphrey, Jarvis, Lewis of Nash, Long, Lyon of Orange, Montgomery, Parker, Patterson, P cckett, Slaughter, Stiles, Strayhorn, Ward, Williamson and Withers.

And the following voted in the negative, viz:

NAYS.—Messrs. Bethea, Blanton, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Eller, Elliott, Gaither, Gentry, Hackney, Hall, Hargrove, Harrell, Hill of Stokes, Jenkins, Jennett, Little, Love, Masten, McIntosh, Outerbridge, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Scott, Settle, Smallwood, Speer, Stewart, Toms, Waddill and White of Cabarrus.

And then the question was put as follows, viz: Shall the rule be suspended, and this bill be read the third time? and (two-thirds not voting therefor)

Decided in the negative—Yeas .....	50
Nays .....	34

On motion of Mr. Bledsoe,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Bethea, Blanton, Caldwell, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Davidson, Eller, Elliott, Gaither, Gentry, Glass, Hackney, Hall, Harrell, Hill of Stokes, Jenkins, Little, Love, March, Martin, Masten, Matthews, McIntosh, Ogburn, Outerbridge, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Scott, Settle, Siler, Speer, Stewart, Stiles, Toms, White of Cabarrus, Whitson, Wilson and Yancy.

And the following voted in the negative, viz:

NAYS.—Messrs. Bledsoe, Bynum, Dills, Ferebec, Gilliam, Green, Hargrove, Hester, Hill of Halifax, Honck, Humphrey, Jarvis, Jennett, Lewis of Nash, Long, Lyon of Orange, Mann, Meares, Montgomery, Outlaw, Parker, Patterson, Pearson, Sharp, Slaughter, Smallwood, Speight, Strayhorn, Tate, Waddill, Ward, White of Sampson, Williamson and Withers.

Mr. Outlaw gave notice that he would to-morrow introduce an amendment to the rules of order.

On motion of Mr. Outlaw,

The House agreed to pass over for this day all bills of a public nature informally, and thereupon,

H. 207, to establish a free ferry and road in Pasquotank county, coming up, was read the second time, and the question put, Shall this bill pass the second reading? Mr. Mann offered an amendment thereto, and the question being thereon, the House was found without a quorum; and

On motion of Mr. Outlaw,

A call of the House being ordered, the Clerk proceeded to call the roll and note the absentees, and had called over the absentees the first time, when a quorum appearing,

On motion of Mr. Outlaw,

Further proceedings under the call were dispensed with. The following was the condition of the roll at the time the proceedings were dispensed with, viz;

ABSENTEES.—Messrs. Badham, Barnes, Baxter, Benbury,



Blow, Bridgers, Bright, Bullock, Dargan, Erwin, Folk, Foster, Holmes, Johnston, Jones, Kelly, Leach, Leitch, Lewis of Wake, Lyon of Granville, Mabry, Moore, Morrison, Mosely, Rand, Sauls, Southerland, Thompson, Tomlinson, Waugh and White of Bladen—31.

The question was then put upon the amendment of Mr. Mann, and it was adopted. Mr. Ferebee moved to amend the bill. Mr. Mann offered an amendment to this amendment, as follows: "Add at the end of the last line 'except a majority of the justices of the peace of the said county agree to the same;'" and the question being thereon,

On motion of Mr. Routh,

Two-thirds of the members present voting in the affirmative, and at 5 o'clock, the House adjourned until to-morrow morning at 10 o'clock.

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TUESDAY, A. M., 20TH JANUARY, 1857.

Bills, etc., of the following titles were introduced, read, filed for the second reading, or otherwise ordered as follows, viz:

By Mr. Humphrey: a bill (No. 450) to revive the charter of the New River and Bear Creek Canal Company, and the rule being suspended, the same was also read the second and third times, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

From the Senate: a joint resolution (No. 451) authorizing the purchase of a further and additional supply of wood for the use of the Assembly; and the rule being suspended, this resolution also passed the second and third readings and was ordered to be enrolled.

From the Senate: a bill (No. 452) to charter the Shepard's Point Land Company.

From the Senate: a bill (No. 453) to amend the charter of the Indian Grave Turnpike Company.

From the Senate: a bill (No. 454) to charter the Yadkin Navigation Company, in the county of Montgomery.

From the Senate: a bill (No. 455) to charter the Pollocksville Lodge of Ancient York Masons.

From the Senate: a joint resolution (No. 456) in favor of William Thompson.

From the Senate: a joint resolution (No. 451) in favor of Alexander Johnson, sheriff of Cumberland.

From the Senate: a bill (No. 452) to charter the Tuckaseege Land Company.

On motion of Mr. Benbury,

The rule was suspended, and the bill (H. 222) concerning certain pilots, read the second and third times, passed the second and third readings, and was,

*Ordered*, To be engrossed and sent to the Senate.

Mr. Martin moved that No. 273 be read the second time and it was not agreed to.

Mr. Hall moved that No. 220 be read the second time, and it was not agreed to.

Mr. Hill of Halifax gave notice that he would to-morrow introduce an amendment to the rules of order.

On motion of Mr. Reeves,

*Resolved*, That the committee on public grounds and buildings enquire and report if any of the trees within the square attached to the capitol have recently been felled, and by whose order.

The House resumed the unfinished business, (H. 207); the question being, Shall this bill pass?

On motion of Mr. Badham,

*Ordered*, That the bill be laid upon the table.

H. 128, to remove free persons of color from the State, being read the second time, and the question put, Shall this bill pass the second reading? Mr. Outlaw moved the same be laid upon the table; and this question was put, and

Decided in the affirmative—Yeas .....	61
Nays .....	45

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Bethea, Blanton, Blow,

Bynum, Caldwell, Clarke, Dancy, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Ferebee, Folk, Gaither, Gentry, Gilliam, Glass, Hackney, Harrell, Hill of Stokes, Houck, Humphrey, Jennett, Kelly, Lewis of Wake, Little, Long, Mann, March, Masten, Matthews, McIntosh, Ogburn, Outlaw, Patterson, Pearson, Pickett, Routh, Runley, Scales, Scott, Settle, Sharp, Siler, Slaughter, Southerland, Speer, Stiles, Stubbs, Toms, Waddill, Ward, White of Cabarrus, Whitson, Williamson, Wilson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Benbury, Bledsoe, Bright, Cotten, Cox of Jones, Cox of Perquimons, Crump, Green, Hall, Hargrove, Jarvis, Jenkins, Jones, Love, Lyon of Orange, Martin, Mason, Meares, Montgomery, Outerbridge, Parker, Pitchford, Ramsour, Rankin, Reeves, Richardson, Rushing, Smallwood, Speight, Stewart, Strayhorn, Tate, White of Sampson, White of Bladen and Withers.

On motion of Mr. Cansler,

No. 8, was made a special order for Thursday next, at 11 o'clock.

On motion of Mr. Lewis of Wake,

No. 271, was laid upon the table.

On motion of Mr. Badham,

The rule was suspended, and the bill (No. 351) to charter the Rockingham and Coalfield Railroad Company read the third time; and the yeas and nays thereon being ordered,

There were in the affirmative . . . . . 70 votes.

In the negative. . . . . 40 “

The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Blanton, Blow, Bright, Bynum, Caldwell, Clarke, Cotten, Cox of Jones, Crump, Dancy, Davidson, Eborn, Eller, Ferebee, Gentry, Glass, Hackney, Hall, Harrell, Hill of Stokes, Houck, Jarvis, Jenkins, Jennett, Jones, Kelly, Little, Mann, March, Martin, Mason, Masten, Matthews, McIntosh, Ogburn, Outerbridge, Parker, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Runley, Rushing, Scales, Scott, Settle, Sharp, Siler, Smallwood, Southerland, Speer, Speight,



Stewart, Tate, Toms, Waddill, Ward, White of Sampson, White of Cabarrus, White of Bladen, Williamson, Wilson and Yancy.

And the following voted in the negative, viz :

NAYS.—Messrs. Cox of Perquimons, Dills, Gaither, Green, Hargrove, Humphrey, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Montgomery, Patterson, Strayhorn, and Withers.

The question being, “Shall this bill pass the third reading?” Mr. Parker offered an amendment which was adopted, and Mr. Long an amendment which was not adopted; and then the question was put, and

Decided in the affirmative—Yeas .....	70
Nays .....	23

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Blanton, Blow, Bynum, Caldwell, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Davidson, Dills, Eller, Elliott, Erwin, Ferebee, Gaither, Gentry, Gilliam, Glass, Hackney, Hall, Harrell, Hill of Stokes, Houck, Jenkins, Jennett, Little, Love, Mann, March, Martin, Mason, Matthews, McIntosh, Ogburn, Outlaw, Outerbridge, Parker, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Scales, Scott, Settle, Sharp, Slaughter, Smallwood, Speer, Stewart, Stiles, Stubbs, Toms, Waddill, Ward, White of Cabarrus, White of Bladen, Whitson, Williamson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Bledsoe, Eborn, Folk, Green, Hargrove, Hill of Halifax, Humphrey, Jarvis, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Meares, Montgomery, Patterson, Southerland, Speight, Strayhorn, Tate, White of Sampson and Withers.

*Ordered*, That the bill be immediately engrossed and sent to the Senate.

On motion of Mr. Blow,

The bill (No. 225) to amend the charter of the Atlantic and N. C. Railroad was read the second time, and the question put: Shall this bill pass the second reading? and it was decided in the affirmative; and the rule being suspended, and the amendments of the committee thereto adopted,

On motion of Mr. Blow,

The bill was read the third time, passed the third reading, and was

*Ordered*, To be engrossed and sent to the Senate.

Resuming the calendar, the following entitled bills on the third reading were read and disposed of as follows, viz :

H. 12, to charter the Beaufort Harbor and Coalfields Railroad, the question being: Shall this bill pass the second reading? Mr. Elliott moved to amend by striking out all after the enacting clause and inserting a substitute, and it was adopted, and the question recurred, when Mr. Outlaw moved to lay the same upon the table, and it was put and

Decided in the affirmative—Yeas .....	44
Nays .....	43

On motion of Mr. Elliott,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—MESSRS. Badham, Benbury, Bethea, Bledsoe, Blow, Bright, Bynum, Cotten, Dancy, Eborn, Ferebee, Glass, Green, Hackney, Hall, Hargrove, Hill of Stokes, Jarvis, Jenkins, Jennett, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Mason, Masten, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pichford, Rand, Rankin, Rushing, Scales, Slaughter, Smallwood, Speight, Strayhorn, Williamson, Withers and Yancy.

The following members voted in the negative, viz :

NAYS.—MESSRS. Baxter, Blanton, Caldwell, Cansler, Cox of Jones, Cox of Perquimons, Crump, Davidson, Dills, Ellier, Elliott, Erwin, Folk, Gaither, Gentry, Harrell, Houck, Humphrey, Jones, Little, Mann, March, Martin, McIntosh, Meares, Pickett, Ramsour, Reeves, Richardson, Routh, Rumley, Scott, Sharp, Siler, Southerland, Speer, Stewart, Stiles, Toms, Waddill, Ward, White of Cabarrus and Whitson.

The bill (H. 143) to provide for settling disputed boundaries then being read, passed the second and third readings.

*Ordered*, That it be engrossed and sent to the Senate.

The bill (No. 198) to amend R. C., chapter 99, s. 30, was,

On motion of Mr. Sharp,

laid upon the table.

The joint resolution (H. R. 203) in favor of certain purchasers of Cherokee lands; the question being: Shall this bill pass the second reading? Mr. Stiles offered an amendment, which was adopted. Mr. Bledsoe moved it be indefinitely postponed; and the question thereon was put, and

Decided in the affirmative—Yeas ..... 58

Nays ..... 43

On motion of Mr. Stiles,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Bledsoe, Bynum, Caldwell, Cotten, Cox of Perquimons, Dancy, Davidson, Eborn, Elliott, Ferebee, Glass, Green, Hargrove, Harrell, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jennett, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Mason, Masten, Matthews, Montgomery, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Richardson, Rushing, Scott, Slaughter, Smallwood, Speight, Stewart, Strayhorn, Stubbs, Tate, Toms, Ward, White of Sampson, Williamson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Blanton, Blow, Cansler, Clarke, Crump, Dills, Eller, Erwin, Folk, Gaither, Gentry, Gilliam, Hall, Hill of Stokes, Houck, Little, Love, Mann, Martin, McIntosh, Meares, Reeves, Routh, Sharp, Siler, Southerland, Speer, Stiles, Waddill, White of Cabarrus, White of Bladen, Whitson and Yancy.

On motion of Mr. Yancy,

The vote by which the bill (H. 12) to charter the Beaufort Harbor and Coalfield Road Company was laid upon the table was reconsidered; and the question recurring upon the motion of Mr. Outlaw, he withdrew the same. Mr. Humphrey then



moved that the substitute offered by Mr. Elliott be printed and made a special order for Tuesday next at half-past ten o'clock. Mr. Hill of Halifax moved that this question be indefinitely postponed. Mr. Jenkins moved the morning session be extended to 2 o'clock; and the question upon this motion was put and not decided, because,

On motion of Mr. Outlaw,

The yeas and nays being ordered, and the clerk proceeding with the call, and thirty-nine members only having answered thereto; the hour for the adjournment arrived,

And the House adjourned.

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TUESDAY, P. M., 20TH JANUARY, 1857.

The House resumed the consideration of the motion of Mr. Hill of Halifax; and the question being thereon, Mr. Bledsoe moved it be laid upon the table, and this was put, and

Decided in the negative—Yeas .....	29
Nays .....	46

On motion of Mr. Humphrey,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Bledsoe, Bynum, Cotten, Dancy, Gaither, Gilliam, Hackney, Hargrove, Hill of Stokes, Jarvis, Jennett, Kelly, Long, Lyon of Orange, Mason, Masten, Matthews, Montgomery, Outerbridge, Parker, Patterson, Pearson, Rand, Smallwood, Speight, Strayhorn, Williamson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Bethea, Blanton, Blow, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Crump, Davidson, Dills, Eller, Elliott, Erwin, Ferebee, Folk, Gentry, Glass, Harrell, Humphrey, Little, Love, Mann, Martin, McIntosh, Meares, Ogburn, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Scott, Sharp, Siler, Southerland, Speer, Stewart, Toms, Waddill, Ward, White of Bladen, Wilson and Yancy.

So the House refused to lay the motion of Mr. Hill on the table; and it recurred, was put, and

Decided in the affirmative—Yeas ..... 52  
 Nays ..... 39

On motion of Mr. Hill of Halifax,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Bledsoe, Bynum, Cotten, Cox of Perquimons, Dancy, Eborn, Ferebee, Gilliam, Green, Hackney, Hall, Hargrove, Harrell, Hill of Stokes, Jarvis, Jenkins, Jennett, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Mann, Maçon, Masten, Matthews, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rankin, Reeves, Rushing, Scales, Scott, Settle, Slaughter, Smallwood, Speight, Strayhorn, Stubbs, Tate, Tomlinson, Williamson, Wilson and Withers.

And the following voted in the negative, viz:

NAYS.—Messrs. Bethea, Blow, Caldwell, Cansler, Clarke, Crump, Davidson, Dills, Eller, Elliott, Erwin, Folk, Gaither, Gentry, Glass, Humphrey, Jones, Little, Love, March, Martin, McIntosh, Meares, Ogburn, Pickett, Richardson, Rumley, Sharp, Southerland, Speer, Stewart, Toms, Waddill, Ward, White of Sampson, White of Cabarrus, White of Bladen, Whitson and Yancy.

So the motion to postpone indefinitely the question upon the motion of Mr. Humphrey, concerning H. 12, prevailed. Mr. Bledsoe moved the vote be reconsidered. Mr. Meares moved that the question be laid upon the table, and it was put and

Decided in the negative—Yeas ..... 41  
 Nays ..... 51

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Bethea, Blanton, Blow, Cansler, Clarke, Cox of Jones, Crump, Davidson, Dills, Eborn, Eller, Elliott, Erwin, Folk, Gentry, Gilliam, Houck, Humphrey, Jones, Little, March, Martin, McIntosh, Meares, Pickett, Reeves,

Richardson, Rumley, Sharp, Siler, Slaughter, Southerland, Spear, Stewart, Toms, Waddill, Ward, White of Sampson, White of Cabarrus, White of Bladen and Whitson.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Baxter, Bledsoe, Bynum, Caldwell, Cotten, Cox of Perquimons, Dancy, Ferebee, Gaither, Glass, Green, Hackney, Hargrove, Harrell, Hill of Stokes, Jarvis, Jenkins, Jennett, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Mann, Mason, Masten, Matthews, Montgomery, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Rand, Rankin, Rushing, Scales, Scott, Settle, Smallwood, Speight, Strayhorn, Tate, Tomlinson, Williamson, Wilson, Withers and Yancy.

And the motion to reconsider recurring ; at 4 o'clock and 53m. Mr. Folk moved the House do now adjourn until 10 o'clock to morrow, and the question thereon was put, and

Decided in the negative—Yeas . . . . . 11

Nays . . . . . 81

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Bethea, Erwin, Folk, Gaither, Gentry, Houck, March, Martin, Meares, Ogburn and Sharp.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Baxter, Benbury, Blanton, Bledsoe, Blow, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Eborn, Eller, Ferebee, Gilliam, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jennett, Jones, Kelly, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Mann, Mason, Masten, Matthews, McIntosh, Montgomery, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Richardson, Rumley, Rushing, Scales, Scott, Settle, Siler, Slaughter, Smallwood, Southerland, Speight, Stewart, Strayhorn, Stubbs, Tomlinson, Toms, Waddill, Ward, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson, Wilson, Withers and Yancy.



So the House refused to adjourn, and the motion to reconsider recurred. Mr. Meares moved to postpone the same until to-morrow at 4 o'clock, P. M., and the question being thereon, the hour for the adjournment arrived, and the House adjourned.

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NIGHT SESSION, TUESDAY, 20TH JANUARY.

On motion of Mr. Baxter,

The rule was suspended, and the following bills and joint resolutions of a private nature, read the second and third times and passed the second readings, viz :

H. 401, concerning the town of Hendersonville.

H. 220, to amend the charter of the town of Salisbury : the second reading only.

H. 383, to charter the town of Townsville, in the county of Granville.

H. 429, to charter the Euharra Lodge of Independent Odd Fellows in Randolph county.

H. R. 267, in favor of Sarah Charlton.

H. R. 251, in favor of William Davenport of Rutherford county.

H. R. 210, in favor of P. H. Dozier of Currituck county.

H. R. 259, in favor of James M. Lovejoy.

*Ordered*, That they be engrossed and sent to the Senate.

On motion of Mr. Dills,

The following bill on the third reading was read the third time and passed the third reading, viz :

H. 62, to charter the Roxbridge and Toxaway Turnpike Company, in the county of Jackson.

*Ordered*, That it be engrossed and sent to the Senate.

And then the House proceeded with the unfinished business of the morning session,

H. 12, the pending question being the motion of Mr. Meares to postpone until to-morrow at 4 o'clock, the motion

to reconsider the vote upon Mr. Hill's motion ; and the same was put, and

Decided in the negative—Yeas .....	37
Nays .....	54

On motion of Mr. Outerbridge,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS—Messrs. Badham, Bethea, Blanton, Cansler, Davidson, Dills, Eller, Elliott, Erwin, Gaither, Gentry, Gilliam, Harrell, Houck, Humphrey, Little, Love, March, Martin, McIntosh, Meares, Pickett, Ramsour, Reeves, Richardson, Runley, Sharp, Siler, Southerland, Speer, Stiles, Stubbs, Waddill, Ward, White of Sampson, White of Cabarrus and White of Bladen.

And the following in the negative, viz :

NAYS.—Messrs. Baxter, Bledsoe, Blow, Bynum, Caldwell, Clarke, Cotten, Cox of Perquimons, Crump, Dancy, Eborn, Ferebee, Glass, Green, Hackney, Hall, Hargrove, Hill of Stokes, Hill of Halifax, Jarvis, Jennett, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Mann, Mason, Masten, Matthews, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pitchford, Rand, Rankin, Rushing, Scales, Scott, Settle, Slaughter, Smallwood, Speight, Stewart, Strayhorn, Tate, Tomlinson, Toms, Williamson, Withers and Yancy.

And the House having refused to postpone, the question recurred, and was put, and decided in the negative ; and the House refusing to reconsider the said vote, resumed the calendar ; when,

The following bills, etc., upon the second reading, were read the second time and passed the second reading ; and the rule being suspended, the same were read and passed the third reading, and ordered to be engrossed and sent to the Senate, or otherwise disposed of as follows, viz :

H. 208, concerning the common school fund in the county of Alexander ; the same being first amended by the adoption of the report of the committee.

H. 211, to amend the R. C., chapter 34, title Crimes and Punishments, s. 2.

On motion of Mr. Baxter,

The vote by which the bill (H. 62) to charter the Rockbridge and Toxaway Turnpike Company, passed the third reading, was reconsidered; and the question recurring, Mr. Baxter moved to amend the bill by striking out the sixteenth section, and it was not adopted; the question was then put, and decided in the affirmative.

Resuming the calendar, the following also passed the second and third readings, etc., as aforesaid, or were otherwise disposed of as follows, viz:

S. 212, to abolish jury trials in the county of Polk. Ordered to be enrolled.

S. 215, to amend the charter of the Charlotte and Taylorsville Plankroad Company. Ordered to be enrolled.

S. R. 216, in favor of a Naval Depot at Beaufort harbor. Ordered to be enrolled.

H. R. 217, in favor of W. W. Ward, sheriff of Martin county, did not pass the second reading, but was rejected.

H. R. 218, in favor of West Truitt, of Macon county.

H. 219, concerning the appointment of justices of the peace, did not pass the second reading, but was rejected.

H. 221, to amend R. C., chapter 102, title Salaries and Fees, passed the third reading by the casting vote of the Speaker.

H. 223, to amend R. C., chapter 31, title Courts, County and Superior, s. 71.

H. 224, to attach a part of Caldwell county to the county of Watauga, was,

On motion of Mr. Clarke,

Laid upon the table.

H. 226, to amend the charter of the town of Wilson, did not pass the second reading, but was,

On motion of Mr. Dancy,

Indefinitely postponed.

H. 230, to reduce the penalty upon school committees in certain cases, did not pass the second reading, but was rejected.

H. 231, to amend R. C., chapter 6, title Asylums, the ques-



tion being "Shall this bill pass the third reading?" was put, and

Decided in the negative—Yeas .....	24
Nays .....	57

On motion of Mr. Sharp,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Benbury, Bethea, Bledsoe, Blow, Caldwell, Crump, Dancy, Elliott, Erwin, Lewis of Wake, Love, Martin, Matthews, Montgomery, Patterson, Pearson, Rand, Reeves, Speight, Strayhorn, Tate, Tomlinson and Waddill.

And the following in the negative, viz:

NAYS.—Messrs. Baxter, Blanton, Bynum, Cansler, Clarke, Cox of Perquimons, Dills, Eborn, Eller, Ferebee, Gaither, Gentry, Gilliam, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hill of Stokes, Houck, Jarvis, Jenkins, Jennett, Kelly, Lewis of Nash, Little, Long, Lyon of Orange, Mann, March, Mason, Masten, McIntosh, Meares, Ogburn, Outerbridge, Parker, Pickett, Pitchford, Ramsour, Rankin, Richardson, Rumley, Rushing, Scales, Scott, Sharp, Southerland, Speer, Stewart, Stubbs, Toms, Williamson, Wilson, Withers and Yancy.

At 9 o'clock Mr. Reeves moved the House do now adjourn, and the question thereon was put and decided in the negative.

H. R. 233, concerning Hawks' History; the question being, Shall this resolution pass the second reading? Mr. Hill of Halifax moved to amend by inserting "and also twenty copies of Griffith J. McRee's Life of Iredell," and it was adopted. Mr. Scott moved to amend by striking out "fifty copies" and inserting "twenty-five copies," and it was adopted. Mr. Reeves moved to amend, and it was not adopted, and the question recurred, and it was put and decided in the affirmative, and the resolution being read the third time, also passed the third reading.

H. 234, concerning the county court of Granville, also passed the third reading.

H. 235, to extend the jurisdiction of three justices of the peace, did not pass the second reading, but was rejected.

H. 237, to charter Davenport Female College, in the county of Caldwell.

*Ordered*, That the bills passed the third reading as above, be engrossed and sent to the Senate.

On motion of Mr. Pickett,

H. 292, to amend the charter of the Carolina Female College, being read, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

The following additional bills also passed the second reading in due order, and the third reading under a suspension of the rule, or were otherwise disposed of as follows, viz:

H. 238, to amend the charter of Clinton, in the county of Sampson.

H. 241, to charter the Yadkin County Mining Company; the same being first amended,

On motion of Mr. Speer,

By the insertion of a substitute offered by him.

H. 242, to amend the R. C., chapter 101, title Roads, Bridges and Ferries, was

On motion of Mr. Davidson,

Laid upon the table.

H. 243, to improve Pasquotank River, was

On motion of Mr. Jenkins,

Laid upon the table.

At 9 o'clock and 20m. Mr. Outlaw moved the House do now adjourn, and the question thereon was put and

Decided in the negative—Yeas ..... 36

Nays ..... 49

On motion of Mr. Jarvis,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Blanton, Caldwell, Crump, Eborn, Elliott, Erwin, Gaither, Gilliam, Hill of Stokes, Hill of Halifax, Houck, Lewis of Wake, Love, Mann, March, McIntosh, Ogburn, Outlaw, Patterson, Rand, Reeves, Scott, Settle, Sharp, Siler, Slaughter, South-

erland, Speer, Tate, Ward, White of Cabarrus and Williamson.

The following members voted in the negative, viz:

NAYS.—Messrs. Bledsoe, Bynum, Cansler, Clarke, Cox of Perquimons, Davidson, Dills, Eller, Ferebee, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Jarvis, Jenkins, Kelly, Lewis of Nash, Little, Long, Lyon of Orange, Martin, Mason, Masten, Matthews, Meares, Montgomery, Outerbridge, Parker, Pearson, Pickett, Pitchford, Ramsour, Rankin, Rumley, Rushing, Scales, Smallwood, Speight, Stewart, Stiles, Strayhorn, Stubbs, Toms, Waddill, Withers and Yancy.

Resuming the calendar, the House disposed of the bills of the titles following, as follows, viz:

S. 250, in favor of the clerk of the county court of Craven, passed the second and third readings.

*Ordered*, To be enrolled.

H. 254, to extend the powers of the county court of Duplin, was,

On motion of Mr. Ward,

Laid upon the table.

H. 255, to prevent the felling of trees without permission, was,

On motion of Mr. Outlaw,

Laid upon the table.

H. 258, to amend the R. C., chapter 23, title Comptroller, being first amended

On motion of Mr. Montgomery,

Passed the second and third readings.

*Ordered*, To be engrossed and sent to the Senate.

H. R. 260, in favor of Joseph Bryant of Johnston county, did not pass the second reading, but was rejected.

H. 261, to charter the Guilford Agricultural Society, was,

On motion of Mr. Scott,

Laid upon the table.

H. R. 262, in favor of York Collegiate Institute; the question being, Shall this resolution pass the second reading? Mr. McIntosh moved to amend the same by inserting the joint resolution (H. R. 315) in favor of the United Baptist Insti-



tute at Taylorsville; Mr. Lyon of Orange, moved an amendment, which was not adopted; Mr. Reeves an amendment which was not adopted; and the question being upon the amendment of Mr. McIntosh, and a count demanded, the House was found to be without a quorum; and thereupon,

At 10 o'clock and 3m.,

On motion of Mr. Gilliam,

The House adjourned.

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WEDNESDAY, A. M., 21<sup>ST</sup> JANUARY, 1857.

Mr. Ferebee, from the joint select committee upon the Geological Survey, reported favorably the resolution H. R. 459, concerning the Geological Cabinet; and the question being, Shall this resolution pass the second reading?

On motion of Mr. Pitchford,

It was amended so as to strike out "100 dollars," and insert "fifty dollars;" and then the resolution passed the third reading.

On motion of Mr. Baxter,

The resolution was read the third time; and the question being, Shall this resolution pass the third reading? Mr. Dancy moved to amend by inserting "75 dollars" instead of "fifty dollars;" and the question thereon was put, and it was not adopted; and the question recurring, the resolution passed the third reading.

*Ordered*, That it be engrossed and sent to the Senate.

Mr. Baxter, from the joint select committee upon the charter of the Cape Fear and Deep River Navigation Company, submitted a report in writing and a joint resolution (H. R. 460) in favor of F. N. Roberts and R. M. Orrill; and the rule being suspended, the same passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

Mr. Ferebee presented a statement from the president and directors of the company.

On motion of Mr. Cotten,

The report and statement were sent to the Senate with a proposition to print.

Mr. Lewis of Wake introduced a joint resolution, H. R. 461, in favor of William Watson. Read the second and third times and passed.

*Ordered*, To be engrossed and sent to the Senate.

Mr. Reeves introduced a resolution to discontinue the night sessions.

On motion of Mr. Baxter,  
Laid upon the table.

On motion of Mr. Stubbs,

H. 57, to amend the constitution so as to give the election of judges to the people, was taken up from the table and considered, and the question being, Shall this bill pass the second reading? Mr. Badham moved to postpone the same until the fourth day of March next. Mr. Stubbs rose to debate the question. Mr. Jenkins objecting, raised a question of order as follows: Whether it is competent to debate the motion to postpone to a day certain? The Speaker decided that it was not competent under the rules of this House. Mr. Stubbs appealed from this decision; and the yeas and nays being ordered thereon, Mr. Stubbs withdrew his appeal, and then Mr. Baxter appealed; and the question being, Shall the decision of the chair stand as the judgment of the House? was put and

Decided in the affirmative—Yeas ..... 63

Nays ..... 31

On motion of Mr. Baxter,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—MESSRS. Badham, Bethea, Blanton, Bledsoe, Blow, Bright, Bynum, Cansler, Clarke, Cotten, Cox of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Mason, Masten, Montgomery, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Runley, Rushing, Scales, Settle,

Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Tomlinson, Toms, White of Sampson, White of Bladen, Whitson, Williamson, Withers and Yancy.

The following members voted in the negative, viz :

NAYS.—Messrs. Baxter, Benbury, Caldwell, Cox of Perquimons, Crump, Eborn, Eller, Elliott, Ferebee, Folk, Gaither, Gilliam, Houck, Jennett, Little, Mann, March, Martin, McIntosh, Ogburn, Pickett, Richardson, Scott, Siler, Slaughter, Speer, Stiles, Stubbs, Waddill, White of Cabarrus and Wilson.

The question then recurred upon the motion of Mr. Badham, and was put, and

Decided in the affirmative—Yeas .....	55
Nays .....	42

On motion of Mr. Stubbs,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Bethea, Blanton, Bledsoe, Blow, Bright, Bynum, Cansler, Clarke, Cox of Jones, Dancy, Davidson, Dills, Erwin, Gentry, Glass, Green, Hall, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jones, Kelly, Lewis of Nash, Long, Lyon of Orange, Montgomery, Outerbridge, Parker, Patterson, Pitchford, Raud, Rankin, Rumley, Rushing, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Tomlinson, Toms, Ward, White of Sampson, White of Bladen, Whitson, Williamson and Withers.

The following voted in the negative, viz :

NAYS.—Messrs. Baxter, Benbury, Caldwell, Cotten, Cox of Perquimons, Crump, Eborn, Eller, Elliott, Ferebee, Folk, Gaither, Gilliam, Hackney, Houck, Jennett, Lewis of Wake, Little, Mann, March, Martin, Mason, Masten, McIntosh, Ogburn, Outlaw, Pickett, Ramsour, Reeves, Richardson, Routh, Scott, Siler, Slaughter, Speer, Stiles, Stubbs, Waddill, White of Cabarrus, Wilson and Yancy.

So the bill was postponed until the 4th March next.

Mr. Pitchford moved that the vote by which the bill (H. 231) to amend the R. C., chapter 4, title Asylums, had been



rejected, be reconsidered; and the question thereon was put, and it was not adopted.

Bills and a joint resolution of the titles following were introduced, read, passed the first reading, and filed for the second reading or referred as follows, viz:

By Mr. Jones: a joint resolution (No. 462) for a committee of enquiry into the affairs of the Atlantic and North Carolina Railroad Company.

By Mr. Patterson: a bill (No. 463) concerning Haw river, and for the repeal of laws of 1854-'55, chapter 322. To propositions and grievances.

By Mr. Richardson: a bill (No. 464) to charter the McLendon Creek Navigation Company.

By Mr. Jones: a bill (No. 465) to prevent obstructions to the passage of fish up Broad Creek in Craven county.

Mr. Bledsoe moved that the bill (H. 310) to create a sinking fund be taken up from the table, and it was not adopted.

The House resumed the unfinished business:

H. R. 262, in favor of York Collegiate Institute; the pending question being: Shall this resolution pass the second reading? was put, and

Decided in the affirmative—Yeas .....	52
Nays .....	37

On motion of Mr. McIntosh,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Baxter, Benbury, Bethea, Blanton, Bynum, Caldwell, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Crump, Eller, Elliott, Erwin, Ferebee, Folk, Gaither, Gentry, Glass, Hackney, Harrell, Houck, Little, Love, Mann, March, Martin, Matthews, McIntosh, Meares, Ogburn, Pearson, Pitchford, Rankin, Reeves, Routh, Scales, Scott, Settle, Sharp, Siler, Slaughter, Southerland, Speer, Speight, Stiles, Toms, Waddill, Ward, White of Cabarrus, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Blow, Bright, Dancy, Dills, Eborn, Green, Hargrove, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jones, Kelly, Lewis of Nash, Long, Lyon of

Orange, Mason, Masten, Outlaw, Outerbridge, Parker, Patterson, Ramsour, Rand, Rumley, Rushing, Smallwood, Stewart, Strayhorn, Tate, Tomlinson, White of Sampson, White of Bladen, Williamson and Withers.

So the resolution passed the second reading, and the rule being suspended, it also passed the third reading.

*Ordered*, That it be engrossed and sent to the Senate.

The House proceeded to the special order, being

S. 439, to re-charter the Bank of the State of North-Carolina, and the question being, Shall this bill pass the second reading? Mr. Badham moved it be referred to a special committee of five, and it was not adopted. Mr. Baxter moved to postpone the same indefinitely, and the question thereon was put and

Decided in the negative—Yeas .....	34
Nays .....	53

On motion of Mr. Baxter,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Baxter, Blanton, Blow, Caldwell, Crump, Eller, Elliott, Folk, Gaither, Hackney, Hargrove, Harrell, Hoek, Jennett, Lewis of Wake, Little, Love, March, Martin, Ogburn, Pickett, Reeves, Richardson, Routh, Rumley, Scott, Sharp, Siler, Speer, Stiles, Stubbs, Waddill, Ward and White of Cabarrus.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Bethea, Bledsoe, Bright, Bynum, Clarke, Cotten, Davidson, Dills, Erwin, Ferebee, Gentry, Glass, Green, Hall, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jones, Kelly, Lewis of Nash, Long, Lyon of Orange, Mann, Mason, Masten, Matthews, McIntosh, Meares, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rushing, Scales, Settle, Slaughter, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tomlinson, Toms, White of Bladen, Whitson, Williamson and Withers.

So the House refused to postpone the question indefinitely, and it recurred.

At 1 o'clock and 28m. Mr. White of Bladen moved the morning session be extended 20 minutes. Mr. Badham moved the yeas and nays be ordered, and they were ordered, but the hour having arrived for the adjournment, the House then adjourned.

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AFTERNOON SESSION, WEDNESDAY, 21ST JANUARY.

A message was received from the Senate with the following engrossed House bills, viz :

H. 130, to amend the charter of the town of Graham, with amendments.

H. 96, to charter York Collegiate Institute, with amendments. And the House having concurred in them,

*Ordered*, That the Senate be informed thereof.

The question then recurred upon the passage of the bill (S. 439) to recharter the Bank of the State, &c. Mr. Reeves moved to amend so as to provide for a branch at Mt. Airy, in the county of Surry, and it was adopted. Mr. Stubbs moved to lay the bill on the table, and order it to be printed. Mr. Scott moved to amend by requiring the bank to pay a bonus of 50,000 dollars within six months after the acceptance of the charter ; and the question thereon was put, and

Decided in the negative—Yeas .....	46
Nays .....	56

On motion of Mr. Scott,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Benbury, Bethea, Blanton, Blow, Bynum, Caldwell, Cansler, Clarke, Cotten, Crump, Dills, Eller, Elliott, Erwin, Gaither, Green, Hackney, Hargrove, Houck, Jennett, Jones, Little, Long, Love, Mann, March, Martin, McIntosh, Pickett, Richardson, Routh, Rumley, Scott, Sharp, Siler, Speer, Stiles, Toms, Waddill, White of Cabarrus, Whitson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Bledsoe, Bright, Cox of



Perquimons, Dancy, Davidson, Eborn, Ferebee, Gentry, Gilliam, Glass, Hall, Harrell, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Kelly, Lewis of Wake, Lyon of Orange, Mason, Masten, Matthews, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Rushing, Scales, Settle, Slaughter, Smallwood, Southerland, Speight, Stewart, Strayhorn, Stubbs, Tate, Tomlinson, Ward, White of Sampson, Williamson, Wilson and Withers.

So the amendment was not adopted; and the question recurring upon the amendment of Mr. Stubbs, was put, and

Decided in the negative—Yeas .....	46
Nays .....	56

On motion of Mr. Outlaw,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Bynum, Caldwell, Cansler, Cotten, Dills, Elliott, Erwin, Gentry, Gilliam, Glass, Green, Harrell, Houck, Jennett, Jones, Lewis of Nash, Little, Love, March, McIntosh, Meares, Montgomery, Ogburn, Patterson, Pickett, Pitchford, Richardson, Rumley, Scales, Sharp, Siler, Southerland, Speer, Stiles, Strayhorn, Stubbs, Tomlinson, Toms, White of Sampson, White of Cabarrus and Whitson.

And the following in the negative, viz:

NAYS.—Messrs. Blanton, Bledsoe, Blow, Bright, Clarke, Cox of Jones, Cox of Perquimons, Crump, Dancy, Davidson, Eborn, Eller, Ferebee, Gaither, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Kelly, Lewis of Wake, Long, Lyon of Orange, Mann, Martin, Mason, Masten, Matthews, Outlaw, Outerbridge, Parker, Pearson, Ramsour, Rand, Rankin, Reeves, Routh, Rushing, Scott, Settle, Slaughter, Smallwood, Speight, Stewart, Tate, Waddill, Ward, White of Bladen, Williamson, Wilson, Withers and Yancy.

Mr. Erwin moved to amend by inserting \$100,000 *bonus*, to be paid upon the acceptance of the charter; and the question thereon was put, and.

Decided in the negative—Yeas ..... 36  
 Nays ..... 63

On motion of Mr. Erwin,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Benbury, Bethea, Blow, Caldwell, Clarke, Crump, Dills, Eller, Elliott, Erwin, Gaither, Hargrove, Hill of Halifax, Houck, Jenkins, Jennett, Jones, Little, Love, Mann, March, Martin, Mason, McIntosh, Pickett, Richardson, Rumley, Scott, Sharp, Siler, Speer, Stiles, Toms, White of Cabarrus and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Blanton, Bledsoe, Bright, Bynum, Cotten, Cox of Jones, Cox of Perquimons, Dancy, Davidson, Eborn, Elliott, Ferebee, Gentry, Gilliam, Glass, Green, Hackney, Hall, Harrell, Hester, Hill of Stokes, Humphrey, Jarvis, Kelly, Lewis of Wake, Long, Lyon of Orange, Masten, Matthews, Meares, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rushing, Scales, Settle, Slaughter, Smallwood, Southerland, Speight, Stewart, Strayhorn, Stubbs, Tate, Tomlinson, Waddill, Ward, White of Sampson, Whitson, Williamson, Wilson and Withers.

Mr. Scott moved to amend by adding as follows, viz :

*Provided*, That the bank pay, within six months after the acceptance of this charter, the sum of 25000 dollars as a bonus to the State.

Pending this question,

The hour for the adjournment arrived, and the House adjourned.

NIGHT SESSION, WEDNESDAY, 21ST JANUARY.

The bills, etc., of the following titles, under a suspension of the rules, passed the second and third readings, and were

*Ordered* to be engrossed and sent to the Senate, viz :

H. 320, in favor of the wardens of the poor of the county of Rutherford.

H. 306, to amend the R. C., chapter 118, title Widows, s. 2.

H. 349, to prevent the felling of timber in South Yadkin river, in the county of Yadkin.

H. 344, to charter New Hope Institute, in Wilkes county; and

H. 360, to prevent the felling of timber in Second and other creeks, in the county of Rowan.

On motion of Mr. Gilliam,

H. 176, was taken up and filed for the second reading.

H. 410, the bill of Mr. Pickett concerning matrimony, was withdrawn from the files, and by order of the House delivered to Mr. Pickett.

The House resumed the unfinished business; the question pending, being the amendment of Mr. Scott to S. 439, to re-charter the Bank of the State of N. Carolina, and it was put, and not adopted; the question then recurred, and was put as follows: Shall this bill pass the second reading? and was put, and

Decided in the affirmative—Yeas .....	54
Nays .....	33

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Bethea, Bledsoe, Bynum, Bullock, Cansler, Clarke, Cox of Perquimons, Davidson, Ferabee, Gilliam, Glass, Hall, Harrell, Hill of Stokes, Hill of Halifax, Jarvis, Jenkins, Jennett, Kelly, Lyon of Orange, Mann, Mason, Masten, Matthews, McIntosh, Meares, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Pearson, Ramsour, Rand, Reeves, Routh, Rushing, Scales, Settle, Slaughter, Smallwood, Speight, Stewart, Stiles, Strayhorn, Tate, Tomlinson, Toms, White of Sampson, Williamson, Wilson and Withers.

The following voted in the negative, viz:

NAYS.—Messrs. Baxter, Benbury, Blanton, Blow, Caldwell, Crump, Dancy, Dills, Eller, Elliott, Erwin, Folk, Gaither,



Green, Hackney, Hargrove, Lewis of Nash, Little, Long, March, Martin, Pickett, Pitchford, Rankin, Richardson, Rumley, Scott, Sharp, Siler, Speer, Stubbs, Ward and White of Cabarrus.

So the bill passed the second reading.

On motion of Mr. Hill of Halifax,

*Ordered*, That it be printed.

Bills of the following titles were read the second and third time, passed the second and third readings, and were ordered to be engrossed and sent to the Senate, or were otherwise disposed of as follows, viz :

H. 264, concerning the statistics of crime; and the question being, Shall this bill pass the second reading? Mr. Sharp moved the same be indefinitely postponed; and the question thereon was put, and it was not adopted. Mr. Reeves moved the bill be laid upon the table, and it was put and not adopted; and then the question recurred, and was put and decided in the affirmative; and the bill was read the third time, and the question thereon put, when Mr. Gilliam moved an amendment, which was not adopted. Mr. Speer an amendment, not adopted; Mr. Hill of Halifax an amendment, not adopted; and then the bill passed the third reading.

H. 263, to amend the R. C., chapter 107, title Slaves and Free Negroes; the question being, Shall this bill pass the second reading? was put, and

Decided in the negative—Yeas .....	37
Nays .....	56

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Benbury, Bledsoe, Blow, Bright, Bullock, Cansler, Davidson, Green, Hall, Hargrove, Jarvis, Jenkins, Lewis of Nash, Lyon of Orange, Mabry, Mann, Mason, Matthews, McIntosh, Montgomery, Outerbridge, Patterson, Pearson, Pitchford, Rankin, Reeves, Rumley, Rushing, Settle, Smallwood, Speight, Stewart, Strayhorn, Tate, Tomlinson and White of Sampson.

The following voted in the negative, viz :

NAYS.—Messrs. Badham, Baxter, Bethea, Blanton, Bynum,

Caldwell, Clarke, Cotten, Cox of Perquimons, Crump, Dancy, Dills, Eborn, Eller, Elliott, Erwin, Ferebee, Folk, Gaither, Gentry, Gilliam, Glass, Hackney, Harrell, Hill of Stokes, Hill of Halifax, Jennett, Kelly, Little, Long, Love, March, Martin, Masten, Meares, Ogburn, Outlaw, Parker, Ramsour, Rand, Richardson, Routh, Scales, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Toms, Ward, White of Cabarrus, Whitson, Williamson, Wilson and Withers.

H. 265, to amend the charter of the town of Lenoir.

On motion of Mr. Cansler,

The same being first amended by striking out the first and sixth sections.

S. 273, to charter the Salem Cemetery Company.

*Ordered* to be enrolled.

S. 275, concerning the clerks of the supreme court.

*Ordered* that it be enrolled.

H. 277, concerning common schools in Harnett county.  
Laid on the table.

H. 278, to prohibit sales of spirituous liquors to free persons of color was,

On motion of Mr. Parker,  
indefinitely postponed.

H. 280, to amend the R. C., chapter 34, title Crimes and Punishments, s. 85, was,

On motion of Mr. Baxter,  
indefinitely postponed.

H. 281, concerning State bonds did not pass the second reading, but was rejected.

H. 283, to amend the R. C., chapter 85, title Pilots, s. 36, did not pass the second reading, but was rejected.

H. 285, to discourage unjust prosecutions did not pass the second reading, but was rejected.

H. R. 288, concerning copies of the Revised Code and Acts of Assembly.

H. 290, to increase the public revenue; the question being: Shall this bill pass the second reading? was put, and Mr. Baxter moved the yeas and nays be ordered thereon; Mr.

Outlaw moved the bill be laid upon the table, and it was adopted.

H. 291, to repeal R. C., chapter 81, title Oysters and other Fish, s. 8.

H. 284, to alter the time of the meeting of the General Assembly; the question being, Shall this bill pass the second reading? Mr. Stubbs moved to amend by inserting "the first Monday in October," and it was adopted. Mr. Outlaw, upon the third reading, moved to amend by inserting "the second day of January." Mr. Erwin moved an amendment, and pending thereon, Mr. Martin moved the bill be laid upon the table, and this question was put and decided in the affirmative.

H. 298, to charter the town of Albemarle in the county of Stanly.

H. 297, to establish the county line between Macon and Jackson counties, did not pass the second reading, but was rejected.

S. 246, to amend the charter of the Okonalufta and Qualla-town Turnpike Company. Ordered to be enrolled.

H. R. 289, concerning a State Geological Cabinet, did not pass the second reading, but was rejected.

S. 248, to amend the charter of the Tuckasege and Cheoili Turnpike Company. Ordered to be enrolled.

S. 458, to charter the Tuckasege Land Company.

S. 249, to amend the charter of the Tuckasege and Nantahala Turnpike Company. And then,

On motion of Mr. Hill of Stokes,

And at 9 o'clock and 40m. the House adjourned.

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THURSDAY, 22<sup>ND</sup> JANUARY, 1857.

Mr. Sharp presented the petition of J. T. Alexander and others, of the county of Iredell, in favor of the People's Bank.

The following bills were reported as follows, viz:



H. 437, by Mr. Hill of Halifax, from corporations and currency, favorably.

H. 367, by the same, from the same committee, unfavorably.

H. 139, by Mr. Erwin, from internal improvements, favorably.

Bills and joint resolutions of the titles following were introduced, read the first time, passed the first reading, and were filed for the second reading, viz :

By Mr. Clarke: a joint resolution (No. 466) in favor of Lewis S. Hartley, of Caldwell county. Table.

By Mr. Caldwell: a joint resolution (No. 467) concerning the machine shops in Alamance county.

On motion of Mr. Erwin,

Laid on the table.

By Mr. Jarvis: a joint resolution (No. 468) concerning Cherokee bonds.

By Mr. Hill of Halifax: a joint resolution (No. 469) concerning the warming of the hall.

On motion of Mr. Baxter,

Laid upon the table.

By Mr. Martin: a joint resolution (No. 470) concerning Cherokee lands, etc.

By Mr. Love: a bill (No. 471) to charter the Linwood Female Academy.

By Mr. Holmes: a bill (No. 472) to charter the Lillington Hotel Company.

By Mr. Holmes; a bill (No. 473) to increase the revenue of the town of Wilmington.

And the following from the Senate, viz :

A bill (No. 474) to charter the Cheraw and Coalfields Railroad Company;

A bill (No. 475) to charter the Currituck Steamboat Company;

A bill (No. 476) to charter the female college of the Methodist Protestant Conference;

A bill (No. 477) to charter the Historical Society;

A bill (No. 478) to charter the Warsaw High School;

A bill (No. 479) to amend the charter of the town of Pittsborough.

By Mr. Gilliam: a bill (No. 480) concerning bank statements; and the rule being suspended, this bill passed the second reading.

*Ordered*, That it be engrossed and sent to the Senate.

Upon the first reading of the joint resolution, No. 467, concerning the machine shops in Alamance, Mr. Erwin moved that the same be laid upon the table; and the question thereon was put, and

Decided in the affirmative—Yeas .....	67
Nays .....	38

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative viz:

YEAS.—Messrs. Badham, Barnes, Bethea, Blanton, Blow, Bridgers, Bynum, Bullock, Clarke, Cotten, Cox of Jones, Crump, Dancy, Davidson, Dills, Eborn, Erwin, Gentry, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Kelly, Lewis of Wake, Lewis of Nash, Little, Love, Lyon of Granville, Mabry, Masten, Matthews, Meares, Montgomery, Mosely, Outerbridge, Parker, Patterson, Pearson, Ramsour, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Southerland, Speight, Stewart, Tate, Thompson, Tomlinson, Toms, White of Sampson, White of Bladen, Whitson, Williamson, Withers and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Baxter, Benbury, Bledsoe, Caldwell, Cox of Perquimons, Eller, Elliott, Ferebee, Gaither, Gilliam, Glass, Hill of Stokes, Jennett, Jones, Long, Lyon of Orange, Mann, March, Martin, Mason, McIntosh, Ogburn, Pickett, Pitchford, Rand, Rankin, Scott, Sharp, Siler, Slaughter, Smallwood, Speer, Stiles, Strayhorn, Stubbs, Waddill, White of Cabarrus and Wilson.

Mr. Rushing moved that a message be sent to the Senate, proposing to raise a joint committee to ascertain when the two Houses will be ready to adjourn; and the question was put thereon, and the motion not adopted.

Mr. Richardson moved that the bill (S. 474) to charter the Cheraw and Coalfield Railroad Company, be made a special order for Saturday next, at 11 o'clock; and it was not adopted.

At eleven o'clock the Speaker announced the following special order, viz:

H. 8, to charter the Wilmington, Rutherford, and Charlotte Railroad Company; and the question being, Shall this bill pass the third reading? Mr. Toms moved an amendment, which was adopted; Mr. White of Cabarrus an amendment, which was adopted; Mr. Reeves an amendment, not adopted; Mr. Waddill an amendment, not adopted; and Mr. Strayhorn the indefinite postponement of the bill, which was not adopted; and then the question was put, and

Decided in the negative—Yeas .....	37
Nays .....	69

On motion of Mr. Outerbridge,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Bethea, Blanton, Cansler, Clarke, Crump, Davidson, Dills, Eller, Elliott, Erwin, Gentry, Harrell, Holmes, Little, Love, Mabry, Martin, Matthews, McIntosh, Meares, Pickett, Ramsour, Rankin, Routh, Rumley, Rushing, Sharp, Siler, Speer, Stewart, Stiles, Tate, Toms, White of Bladen, Whitson, Williamson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Baxter, Benbury, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Caldwell, Cotten, Cox of Jones, Cox of Perquimons, Dancy, Eborn, Ferebee, Folk, Gaither, Gilliam, Glass, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Houck, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mann, Mason, Masten, Montgomery, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pearson, Pitchford, Rand, Reeves, Sauls, Scales, Scott, Settle, Slaughter, Smallwood, Southerland, Speight, Strayhorn, Stubbs, Thompson, Tomlinson, Waddill, White of Sampson, White of Cabarrus, Wilson and Withers.



Mr. Hill of Halifax paired off with Mr. Foster.

Mr. Outlaw with Mr. Dargan.

Mr. Ward with Mr. Morrison.

The House proceeded to consider the bill (No. 271) to charter the North Carolina Bank. The pending question being: Shall this bill pass the second reading? Mr. Crump moved to postpone the same to the 4th day of March; and the question thereon was put, and

Decided in the negative—Yeas .....	34
Nays .....	74

On motion of Mr. Crump,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Benbury, Caldwell, Candler, Cox of Perquimons, Crump, Dancy, Eborn, Eller, Erwin, Ferebee, Gaither, Gilliam, Hill of Halifax, Humphrey, Jennett, Jones, Mabry, Mann, March, Martin, McIntosh, Meares, Outlaw, Pearson, Pickett, Scott, Sharp, Slaughter, Southerland, Speer, Ward and Wilson.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bynum, Bullock, Clarke, Cotten, Cox of Jones, Davidson, Dills, Folk, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Houck, Holmes, Jarvis, Jenkins, Kelly, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Settle, Siler, Smallwood, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, White of Cabarrus, White of Bladen, Williamson, Withers and Yancy.

The question recurring, Mr. Stubbs moved that five dollars be the lowest amount of bills issued, and the question thereon was put and it was not adopted. There being counted in the affirmative 42 votes; in the negative 42 votes, and the Speaker voting in the affirmative. Mr. Benbury moved to amend as follows: "Provided that any stockholder shall have liberty

to examine the books upon application," and it was adopted ; and then the question was put and

Decided in the affirmative—Yeas .....	64
Nays .....	41

On motion of Mr. Baxter,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Bethea, Blanton, Blow, Bright, Bynum, Bullock, Clarke, Cotten, Cox of Jones, Dills, Elliott, Gentry, Glass, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Houck, Holmes, Jarvis, Jenkins, Kelly, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mabry, March, Masten, Matthews, McIntosh, Montgomery, Mosely, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scales, Settle, Smallwood, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waddill, White of Sampson, Williamson and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Baxter, Benbury, Bridgers, Caldwell, Cansler, Cox of Perquimons, Crump, Dancy, Davidson, Eborn, Eller, Erwin, Ferebee, Folk, Gaither, Gilliam, Harrell, Hill of Halifax, Humphrey, Jennett, Jones, Mann, Martin, Mason, Meares, Ogburn, Oulaw, Pearson, Pickett, Rumley, Scott, Sharp, Siler, Slaughter, Southerland, Spear, Ward, White of Cabarrus, Wilson and Yancy.

So the bill passed the second reading.

By a message from the Senate heretofore noticed, the House was informed of the passage in that body of H. 34, to cede Mt. Tirza to the United States, with an amendment ; and the question being, Shall the House concur therein? Mr. Meares moved to strike out the said amendment and insert a substitute, which was adopted and so amended. The proposition of the Senate was concurred in, and that body directed to be informed thereof.

H. 98, to amend the R. C., chapter 99, title Revenue, s. 60, as amended by Mr. Ward, then passed the second and third

readings, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Pitchford,

The rule being suspended,

H. R. 64, in favor of B. H. Stanmire, was read the third time, and the question put, Shall this resolution pass the third reading? Mr. Stiles moved to amend by striking out the words "sixty acres," and it was adopted. Mr. Pitchford moved to amend by inserting the sum of 2384 dollars for the sums named by the committee, and the question being thereon, the hour for the adjournment arrived, and the House adjourned.

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AFTERNOON SESSION, THURSDAY 22D JANUARY.

On motion of Mr. Ward,

The calendar was suspended, and the bills respectively entitled as follows, read and passed the second and third readings, and ordered to be engrossed and sent to the Senate, viz:

H. 445, to charter the town of Stricklandsville, in the county of Duplin. Ordered to be enrolled.

H. R. 466, in favor of Lewis J. Hartley of Caldwell county. Mr. Routh moved to amend by adding Joseph Cline, sheriff of Catawba; Mr. Toms, M. H. Kilpatrick, sheriff of Rutherford; Mr. Davidson, the sheriff of Mecklenburg; each of which motions were severally adopted. Mr. Meares moved the indefinite postponement of the question; and

On motion of Mr. Meares,

The yeas and nays being ordered, Mr. Crump moved the same be laid upon the table; and the question being put thereon, it was decided in the affirmative.

The House resumed the unfinished business of the morning session, being the motion of Mr. Pitchford to amend H. R. 64, by inserting the sum of \$2384,00, when Mr. Ferebee moved to amend by substituting the sum of \$1957,64. Mr. Little moved the bill and amendments be laid upon the table; and the question thereon was put, and



Decided in the negative—Yeas ..... 20  
 Nays ..... 78

On motion of Mr. Little,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Bridgers, Bullock, Cansler, Cox of Perquimons, Crump, Davidson, Dills, Eborn, Elliott, Ferebee, Gilliam, Hargrove, Little, Lyon of Granville, Meares, Scott, Sharp, Slaughter, Whitson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Baxter, Benbury, Bethea, Blanton, Blow, Bynum, Caldwell, Clark, Cotten, Cox of Jones, Dancy, Eller, Gaither, Gentry, Glass, Green, Hackney, Hall, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Kelly, Lewis of Nash, Long, Lyon of Orange, Mabry, Mann, March, Martin, Mason, Masten, Matthews, McIntosh, Montgomery, Mosely, Ogburn, Outlaw, Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scales, Siler, Smallwood, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, White of Sampson, White of Cabarrus, White of Bladen, Williamson, Wilson and Withers.

The question was then put upon the amendment to the amendment of Mr. Ferebee, and decided in the negative. Mr. Jarvis moved an amendment to the amendment, which was not adopted; and then the question being upon the amendment, it was adopted, and the question recurred. Mr. White of Cabarrus moved to strike out all after the word "Resolved," and insert a substitute. Mr. Parker demanded a division of the question, and it was accordingly first put upon the motion to strike out and

Decided in the negative—Yeas ..... 41  
 Nays ..... 62

On motion of Mr. Meares,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Bridgers, Bullock, Cansler, Cox of Per-

quimons, Crump, Davidson, Dills, Eborn, Elliott, Ferebee, Gaither, Hargrove, Harrell, Hill of Halifax, Houck, Little, Lyon of Granville, Martin, Mason, Meares, Montgomery, Outlaw, Outerbridge, Patterson, Ramsour, Richardson, Rushing, Scales, Scott, Settle, Sharp, Slaughter, Smallwood, Speer, Speight, Waddill, Ward, White of Cabarrus, Whitson, Wilson and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Blanton, Bledsoe, Blow, Bynum, Caldwell, Clarke, Cotten, Cox of Jones, Dancy, Eller, Gentry, Gilliam, Glass, Green, Hackney, Hall, Hester, Hill of Stokes, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Mabry, Mann, March, Masten, Matthews, McIntosh, Mosely, Ogburn, Parker, Pearson, Pitchford, Rand, Rankin, Reeves, Routh, Sauls, Siler, Southerland, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, White of Sampson, White of Bladen and Williamson.

So the House refused to strike out, and the question recurred as follows: Shall this resolution pass the third reading? and it was put and

Decided in the affirmative—Yeas .....	63
Nays .....	40

On motion of Mr. Meares,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Blanton, Bledsoe, Blow, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Dancy, Gentry, Gilliam, Glass, Green, Hackney, Hall, Harrell, Hester, Hill of Stokes, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Mabry, Mann, March, Masten, Matthews, McIntosh, Mosely, Ogburn, Parker, Pearson, Pitchford, Ramsour, Rand, Reeves, Sauls, Siler, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, White of Sampson, White of Bladen and Withers.

The following voted in the negative, viz :

NAYS.—Messrs. Bridgers, Bullock, Crump, Davidson, Dills, Eborn, Eller, Elliott, Ferebee, Gaither, Hargrove, Hill of Halifax, Houck, Little, Love, Lyon of Granville, Martin, Mason, Meares, Montgomery, Outlaw, Outerbridge, Patterson, Rankin, Richardson, Rushing, Scales, Scott, Settle, Sharp, Slaughter, Smallwood, Speer, Stubbs, Waddill, Ward, White of Cabarrus, Whitson, Williamson and Yancy.

So the resolution passed the third reading.

*Ordered*, That it be engrossed and sent to the Senate.

On motion of Mr. Humphrey,

The members of the committee upon claims were excused from the afternoon sessions.

On motion of Mr. Gilliam,

H. R. 480, concerning bank statements, was read the second time, and Mr. Meares moved an amendment thereto, which was not adopted; and the resolution passed the second reading and, the rule being suspended, the third reading also; and then was,

*Ordered*, To be engrossed and sent to the Senate.

The House resumed the calendar; and

H. 176, to exempt the homestead from execution, being called, read and amended, and the question put, Shall this bill pass the second reading? Mr. Gilliam moved the yeas and nays be ordered, and the motion was seconded; and, pending the call, Mr. Jenkins moved an amendment, and Mr. Scott moved an amendment to the same, and then the morning hour expiring,

The House adjourned.

#### NIGHT SESSION, THURSDAY, 22D JANUARY.

On motion of Mr. Parker,

The rule being suspended, the following entitled bills passed the second and third readings, and were severally ordered to be engrossed and sent to the Senate, viz:

H. 375, to charter the town of Gatesville, in the county of Gates;



H. 308, to charter the Albemarle Rifles, in the county of Chowan.

The House resumed the unfinished business, being the question upon the passage of H. 176, the third reading, and it recurred; Mr. Badham moved to lay the same upon the table; and it was put, and

Decided in the negative—Yeas .....	30
Nays .....	47

On motion of Mr. Badham,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Blow, Bullock, Cansler, Clark, Glass, Green, Hargrove, Hester, Holmes, Jarvis, Jenkins, Long, Lyon of Orange, Lyon of Granville, Masten, Outerbridge, Parker, Pitchford, Reeves, Rushing, Sauls, Settle, Southerland, Stewart, Strayhorn, Thompson, Tomlinson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Bethea, Bynum, Caldwell, Cotten, Cox of Perquimons, Crump, Dills, Eborn, Eller, Elliott, Ferebee, Gaither, Gentry, Gilliam, Hackney, Harrell, Hill of Halifax, Humphrey, Jennett, Lewis of Nash, Little, Mann, March, Martin, Matthews, McIntosh, Meares, Montgomery, Ogburn, Patterson, Pearson, Ramsour, Richardson, Runley, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Stubbs, Toms, Ward, Waugh, White of Cabarrus, Wilson and Yancy.

Mr. Jarvis offered an amendment to the amendment. Mr. Scott then withdrew his amendment. Mr. Little offered an amendment which was adopted. Mr. Jarvis offered an amendment which was not adopted. Mr. Badham offered an amendment, and pending the same, Mr. Jarvis moved the bill and amendment be postponed until the 4th March, and the question thereon was put and

Decided in the affirmative—Yeas .....	50
Nays .....	44

On motion of Mr. Meares,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Blow, Bridgers, Bynum, Bullock, Cotten, Dancy, Elliott, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Jarvis, Jenkins, Long, Love, Lyon of Orange, Lyon of Granville, Masten, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rankin, Reeves, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waddill, Waugh and Withers.

The following voted in the negative, viz :

NAYS.—Messrs. Baxter, Bethea, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Dills, Eborn, Eller, Ferebee, Gaither, Gilliam, Humphrey, Jennett, Jones, Little, Mabry, Mann, March, Martin, Matthews, McIntosh, Meares, Montgomery, Ogburn, Outlaw, Pearson, Pickett, Richardson, Routh, Rumley, Rushing, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Stubbs, Ward, White of Cabarrus, Wilson and Yancy.

So the bill was postponed until the 4th March.

H. 296, to alter the laws of 1854, chapter 131, title Seamen in Wilmington, being first amended, on motion of Mr. Holmes, passed the second and third readings.

*Ordered* to be engrossed and sent to the Senate.

H. R. 299, in favor of Joseph Marshall of Stanly, did not pass the second reading but was rejected.

H. 300, to prevent the poisoning of fish; the question being, Shall this bill pass the second reading? was,

On motion of Mr. Caldwell,  
indefinitely postponed.

H. R. 301, in favor of Benjamin Henline, passed the second and third readings.

*Ordered* to be engrossed and sent to the Senate.

H. R. 302, in favor of Henry Troutman, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

H. 303, to change the terms of the supreme court, passed the second and third readings, and was

*Ordered* to be engrossed and sent to the Senate.

H. 304, concerning Burke square; the question being, Shall this bill pass the second reading? Mr. Withers offered an amendment, which was not adopted. Mr. Baxter offered an amendment; Mr. Green an amendment thereto, and the same being severally adopted, the bill passed the second reading.

H. 305, to amend the R. C., chapter 119, title Wills and Testaments, s. 17, passed the second and third readings.

*Ordered* to be engrossed and sent to the Senate.

H. 307, to establish a medical board; and the question being, Shall this bill pass the second reading? Mr. Outlaw moved to amend the same, and Mr. Speer offered an amendment to the amendment. Mr. Baxter moved to lay the bill and amendments upon the table, and it was so ordered.

H. 309, to alter the time for laying the taxes in Craven county; and

H. 308, to charter the Albemarle Rifles in the county of Chowan, severally passed the third readings.

*Ordered* that they be engrossed and sent to the Senate.

Also, the following entitled bills, viz:

H. 311, to charter the town of Burnsville, in the county of Yancy; and

H. 312, to amend the R. C., chapter 70, title Militia, s. 1.

H. R. 314, in favor of William Peace, was,

On motion of Mr. Montgomery,  
laid upon the table.

H. 316, to amend the R. C., chapter 17, title Cattle, s. 17; the question being, Shall this bill pass the second reading? was put, and

Decided in the affirmative—Yeas ..... 62

Nays ..... 23

On motion of Mr. Meares,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Bethea, Bledsoe, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Dills, Gaither, Gentry, Glass, Green, Hackney, Hall, Hargrove, Hester, Holmes, Jarvis, Jenkins, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, March, Mason,



Masten, McIntosh, Meares, Montgomery, Parker, Patterson, Pearson, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scales, Scott, Sharp, Smallwood, Speer, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, Wilson, Withers and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Baxter, Bridgers, Crump, Dancy, Eborn, Eller, Elliott, Ferebee, Gilliam, Harrell, Hill of Stokes, Humphrey, Jones, Little, Mabry, Mann, Martin, Outlaw, Outerbridge, Rumley, Slaughter, Stubbs and Waddill.

H. 317, to amend the R. C., chapter 69, title members of Congress, s. 3, was,

On motion of Mr. Reeves,

Laid upon the table.

The bills respectively entitled as follows, then passed the second and third readings, viz:

H. 319, to charter the Green Swamp Land Company;

H. 321, to revive the charter of the Neuse River Manufacturing Company, and for other purposes.

*Ordered*, That they be engrossed, and sent to the Senate.

S. 425, to amend the R. C., chapter 17, title Cattle, etc., s. 7, passed the second and third readings.

*Ordered*, That it be enrolled.

H. 304, concerning Burke square; the question being, Shall this resolution pass the third reading? Mr. Humphrey moved to amend the same by striking out and inserting as follows, viz: "The Public Treasurer and the Comptroller of public accounts for the time, being;" and it was adpted. The bill then passed.

*Ordered*, That it be engrossed and sent to the Senate.

Mr. Thompson moved that No. 318 be made a special order for Saturday next, at 11 o'clock; pending which, and,

On motion of Mr. Outlaw,

It being 9 o'clock and 30m., the House adjourned.

FRIDAY, 23<sup>D</sup> JANUARY, 1857.

Bills of the following titles were reported upon as follows, viz :

H. 428, by Mr. Hargrove, propositions and grievances, favorably.

H, 432, by Mr. Lewis of W., from judiciary, favorably.

H. 252, by Mr. Badham, from same committee, a substitute, and favorably.

H. 328, by Mr. Humphrey, from claims, favorably; and

H. 329. by the same, from same committee, unfavorably.

The following resolution was introduced by Mr. Badham, read and adopted, as follows, viz :

“*Resolved*, That a message be sent to the Senate, proposing to rescind the joint order for adjournment *sine die*.”

Yeas ..... 73

Nays ..... 33

On motion of Mr. Gilliam,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Badham, Bethea, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Caldwell, Clarke, Cotten, Cox of Jones, Dancy, Dills, Elliott, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jones, Kelly, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mason, Masten, Matthews, McIntosh, Meares, Montgomery, Ogburn, Outerbridge, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Reeves, Richardson, Routh, Rumley, Sauls, Scales, Scott, Sharp, Sutherland, Speight, Stewart, Stiles, Strayhorn, Tate, Thompson, Ward, Waugh, White of Cabarrus, Whitson, Williamson and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Baxter, Benbury, Blanton, Cansler, Cox of Perquimons, Crump, Davidson, Eborn, Eller, Ferebee, Folk, Gaither, Gilliam, Hester, Houck, Jennett, Mann, Martin, Mosely, Parker, Rankin, Rushing, Siler,

Slaughter, Smallwood, Speer, Stubbs, Tomlinson Toms, Waddill, Wilson and Yancy.

So the resolution was adopted, and the message sent accordingly.

A bill and joint resolutions of the titles following, were introduced, read, passed the first reading, and otherwise disposed of as follows, viz :

By Mr. Holmes : joint resolutions (No. 481) concerning the Cape Fear river and bar accompanied by a memorial. The rule being suspended the same also passed the second and third readings, and were ordered to be engrossed and sent to the Senate.

By Mr. Cox of Perquimons : a bill (No. 482) to remove obstructions to the bar of Yeopim river. Filed for the second reading.

The House proceeded to the unfinished business, being the motion of Mr. Thompson to make H. 318 a special order for Saturday next, at 11 o'clock ; and the question thereon was put, and

Decided in the affirmative—Yeas .....	67
Nays .....	26

On motion of Mr. Cansler,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Badham, Baxter, Benbury, Bledsoe, Bridgers, Bright, Bynum, Bullock, Caldwell, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Eller, Elliott, Ferebee, Gaither, Glass, Green, Hackney, Hargrove, Hill of Stokes, Houck, Humphrey, Jennett, Jones, Kelly, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, March, Mason, Montgomery, Mosely, Ogburn, Outlaw, Patterson, Pearson, Pitchford, Rand, Reeves, Routh, Rumley, Sauls, Scales, Scott, Sharp, Siler, Slaughter, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Thompson, Tomlinson, Toms, White of Cabarrus, Whitson, Wilson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Bethea, Blanton, Cansler, Davidson, Dills, Eborn, Folk, Harrell, Hester, Hill of Halifax, Holmes, Jarvis,



Little, Martin, Masten, Matthews, Outerbridge, Parker, Pickett, Ramsour, Rankin, Rushing, Smallwood, Tate, Waddill and Waugh.

H. 2, to charter the People's Bank; the question being, Shall this bill pass the third reading? Mr. Baxter moved it be postponed and made a special order for Monday next, at half-past 11 o'clock; and the question thereon was put, and it was not adopted.

Mr. Baxter then moved the same question be postponed until Monday next, at 11 o'clock. Mr. Jarvis moved to amend by inserting the fourth day of March; and this question was put, and it was not adopted.

Yeas .....	49
Nays .....	56

On motion of Mr. Baxter,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Bledsoe, Blow, Bridgers, Bright, Bullock, Causler, Cox of Jones, Dancy, Davidson, Green, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Kelly, Lewis of Wake, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Meares, Mosely, Outlaw, Outerbridge, Parker, Pearson, Pitchford, Rand, Rankin, Rushing, Sauls, Settle, Smallwood, Southerland Speight, Stewart, Tate, Thompson, White of Sampson, Williamson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Baxter, Benbury, Blanton, Bynum, Caldwell, Clarke, Cotten, Cox of Perquimons, Crump, Dills, Eborn, Eller, Elliott, Ferebee, Folk, Gaither, Gentry, Hackney, Hall, Harrell, Houck, Jennett, Jones, Little, Love, Mabry, Mann, March, McIntosh, Montgomery, Ogburn, Patterson, Pickett, Ramsour, Reeves, Richardson, Routh, Runley, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Strayhorn, Stubbs, Tomlinson, Toms, Waddill, Ward, Waugh, White of Cabarrus, White of Bladen, Whitson, Wilson and Yancy.

The question was then put upon the motion of Mr. Baxter, and it was adopted.

A message was received from the Senate concurring in the proposition to rescind the joint order concerning the adjournment *sine die*.

Mr. Baxter moved the rule be suspended, and the bill (No. 290) to increase the public revenue, be taken up and read the second time; and the question then was put, and

Decided in the negative—Yeas .....	53
Nays .....	53

The Speaker voting in the negative.

On motion of Mr. Baxter,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Baxter, Benbury, Blanton, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Crump, Davidson, Dills, Eborn, Eller, Elliott, Ferebee, Folk, Gaither, Gentry, Gilliam, Hackney, Harrell, Hester, Houck, Jennett, Lewis of Nash, Little, Love, Mabry, Mann, March, Martin, McIntosh, Meares, Ogburn, Pickett, Pitchford, Richardson, Routh, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Stubbs, Toms, Waddill, Ward, White of Cabarrus, Whitson, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Mr. Speaker, Messrs. Badham, Barnes, Bethea, Bledsoe, Blow, Bridgers, Bright, Bullock, Cox of Jones, Glass, Green, Hargrove, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jones, Kelly, Lewis of Wake, Long, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Mosely, Outlaw, Outerbridge, Parker, Patterson, Pearson, Ramsour, Rand, Reeves, Rumley, Rushing, Sauls, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Waugh, White of Sampson, White of Bladen, Williamson and Withers.

On motion of Mr. Glass,

The rule was suspended, and the vote by which H. 8, to charter the Wilmington, Rutherford and Charlotte Railroad Company, had been rejected, was reconsidered; and the question recurred, Shall this bill pass the third reading? Mr.

Meares moved to amend the bill, and then, by unanimous consent, the question thereon was passed over informally.

H. 16, to diminish the cost of suits at law, the question being, Shall this bill pass the third reading? Mr. Rushing offered an amendment, which was adopted. Mr. Benbury moved to amend the title of the bill. Mr. Stubbs objected that it was not competent, and a question of order being raised, the Speaker decided as follows, viz: "It is not competent to amend the title of a bill before it has passed the third reading." And no appeal being taken, the same passed as the judgment of the House. Mr. Green offered an amendment, pending which Mr. Badham moved to strike out the first section of the bill, and the question thereon was put and

Decided in the affirmative—Yeas .....	60
Nays .....	35

On motion of Mr. Outlaw,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Blanton, Bledsoe, Bynum, Bullock, Dills, Eller, Folk, Gaither, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Holmes, Humphrey, Jarvis, Jenkins, Kelly, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Masten, McIntosh, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Ransour, Reeves, Sauls, Scales, Settle, Sharp, Slaughter, Smallwood, Southerland, Stewart, Strayhorn, Tate, Tomlinson, Toms, Waugh, White of Sampson, White of Bladen, Williamson, Wilson, Withers and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Blow, Bridgers, Caldwell, Clarke, Cox of Perquimons, Crump, Dancy, Davidson, Eborn, Elliott, Ferebee, Gilliam, Hill of Halifax, Jones, Lewis of Wake, Mabry, Mann, March, Martin, Mason, Matthews, Meares, Mosely, Ogburn, Pitchford, Richardson, Rushing, Scott, Siler, Speer, Speight, Stubbs, Thompson, Ward and White of Cabarrus.

The question recurring, Mr. Badham moved to strike out



the second section; whereupon, Mr. Outlaw moved the bill be indefinitely postponed, and the question thereon was put and adopted.

H. 28, to establish the county of Avery, was,

On motion of Mr. Yancy,

Laid upon the table.

H. 49, to repeal R. C., chapter 36, title Currency, s. 6, was,

On motion of Mr. Hill of Stokes,

Laid upon the table; and the rule being suspended,

On motion of Mr. Rushing,

S. 396, upon the same subject, read, and the question put, Shall this bill pass the second reading? Mr. Bledsoe moved the same be postponed until the 4th day of March, 1857, and the question thereon was put and

Decided in the negative—Yeas ..... 41

Nays ..... 63

On motion of Mr. Dills,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Benbury, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cox of Jones, Dancy, Eborn, Ferebee, Gilliam, Green, Hargrove, Hill of Halifax, Holmes, Jarvis, Jenkins, Jennett, Kelly, Lewis of Wake, Long, Lyon of Granville, Mason, Outlaw, Outerbridge, Parker, Pitchford, Rumley, Sauls, Slaughter, Southerland, Speight, Strayhorn, Stubbs, Thompson, Tomlinson, Williamson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Baxter, Bethea, Blanton, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Davidson, Dills, Eller, Elliott, Folk, Gaither, Gentry, Glass, Hackney, Hall, Harrell, Hester, Hill of Stokes, Houck, Lewis of Nash, Little, Love, Lyon of Orange, Mabry, Mann, March, Martin, Masten, Matthews, McIntosh, Meares, Montgomery, Ogburn, Patterson, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Scott, Settle, Sharp, Siler, Smallwood, Speer, Stewart, Stiles, Tate, Toms, Waddill, Ward,

Wagh, White of Sampson, White of Cabarrus, Wilson and Yancy.

So the House refused to postpone the question till the 4th March, and it recurred. Mr. Ferebee moved an amendment, and it was not adopted. Mr. Hill of Stokes moved an amendment, and pending the same the hour for the adjournment arrived, and

The House adjourned.

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AFTERNOON SESSION, FRIDAY, 23<sup>D</sup> JANUARY.

On motion of Mr. Reeves,

The rule being suspended, the joint resolutions of the titles following were introduced, read and passed the second and third readings, viz:

H. R. 483, in favor of Thomas J. Williams, sheriff of Surry.

*Ordered*, To be enrolled.

H. R. 336, in favor of Lewis N. Payne of Cherokee.

*Ordered*, That it be engrossed and sent to the Senate.

Bills of the titles following were received from the Senate, read, passed the first reading and filed, viz:

No. 484, an engrossed bill to charter the town of Yanceyville.

No. 485, a joint resolution in favor of E. D. Davis, sheriff of Jackson county.

No. 486, an engrossed bill to charter the Male and Female Academy in the town of Swansboro'.

No. 487, an engrossed bill to charter the Greensboro' Hotel Company.

The House then proceeded with the unfinished business, being the motion of Mr. Hill of Stokes to S. 396, and it was withdrawn; the question recurring, Mr. Bledsoe offered an amendment, which was not adopted. Mr. Ward offered an amendment, pending which the hour for the adjournment arrived, and

The House adjourned.

## NIGHT SESSION, FRIDAY, 23D JANUARY.

On motion of Mr. Bledsoe,

The engrossed bills and joint resolutions from the Senate, respectively entitled as follows, being read, passed the second and third readings, and were ordered to be enrolled, viz:

S. R. 457, in favor of Alexander Johnson, sheriff of Cumberland.

S. R. 426, in favor of James Melvin, sheriff of Bladen.

S. R. 485, in favor of E. D. Davis, sheriff of Jackson.

S. 397, concerning the fisheries and the North river.

Mr. Reeves introduced the following:

“*Resolved*, That a committee be appointed to enquire if it be expedient to sell out the interest of the State in the Cape Fear and Deep River Navigation Company.”

The question being put, it was not adopted.

On motion of Mr. Caldwell,

He was excused from further service upon the committee on corporations and the currency.

The House then resumed the unfinished business; the question pending being the motion of Mr. Ward to amend s. 396, and it was put and not adopted; and the question recurred as follows: Shall this bill pass the second reading? and it was put and

Decided in the affirmative—Yeas .....	62
Nays .....	40

On motion of Mr. Routh,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Baxter, Bethea, Blanton, Caldwell, Cansler, Clarke, Crump, Davidson, Dills, Eller, Elliott, Folk, Gaither, Gentry, Glass, Hackney, Hall, Harrell, Hester, Hill of Stokes, Houck, Leach, Lewis of Nash, Little, Love, Lyon of Orange, Mabry, Mann, Martin, Masten, Matthews, McIntosh, Meares, Montgomery, Mosely, Ogburn, Patterson, Pearson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Scott, Settle, Sharp, Siler, Speer, Stewart, Stiles, Tate,



Tomlinson, Toms, Waddill, Waugh, White of Cabarrus, Williamson, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Benbury, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cotten, Cox of Perquimons, Dancy, Eborn, Ferebee, Gilliam, Green, Hargrove, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Long, Lyon of Granville, Outlaw, Outerbridge, Parker, Pitchford, Rand, Rumley, Sauls, Slaughter, Smallwood, Speight, Strayhorn, Stubbs, Thompson, Ward and Withers.

Mr. Rushing moved the rule be suspended, and the bill passed the third time, and it was not adopted.

Mr. Richardson moved that the engrossed bill, No 474, to charter the Cheraw and Coalfield Railroad, be made a special order for Monday next, and it was not adopted.

The House resumed the calendar, when the following entitled bills were read and disposed of as follows, viz:

H. 55, to authorize the banks of the State to issue small notes; the question being, Shall this bill pass the third reading? Mr. Bridgers offered an amendment, which was adopted; and the question recurring, Mr. Montgomery moved it be indefinitely postponed; and the question then was put, and

Decided in the negative—Yeas .....	42
Nays .....	57

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS—Messrs. Badham, Benbury, Blow, Bridgers, Bright, Bullock, Dancy, Davidson, Eborn, Ferebee, Gilliam, Green, Hargrove, Hester, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Kelly, Love, Matthews, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rumley, Sauls, Scales, Settle, Slaughter, Smallwood, Speight, Stubbs, Thompson, Waugh, Williamson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Baxter, Bethea, Blanton, Bynum, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Dills,

Eller, Elliott, Erwin, Folk, Gaither, Gentry, Glass, Hackney, Hall, Harrell, Hill of Stokes, Leach, Little, Long, Lyon of Orange, Mabry, Mann, March, Martin, Masten, McIntosh, Meares, Mosely, Ogburn, Pearson, Pickett, Reeves, Richardson, Routh, Rushing, Scott, Sharp, Siler, Speer, Stewart, Stiles, Strayhorn, Tate, Tomlinson, Toms, Waddill, Ward, White of Cabarrus, White of Bladen, Wilson and Yancy.

So the question was not postponed; and it recurred, when Mr. Elliott moved to strike out Mr. Gilliam's amendment; and it was put, and

Decided in the affirmative—Yeas .....	51
Nays .....	46

On motion of Mr. Gilliam,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Baxter, Bethea, Blanton, Bynum, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Dills, Eller, Elliott, Folk, Gaither, Gentry, Glass, Hackney, Harrell, Hill of Stokes, Leach, Little, Long, Mabry, Mann, March, Martin, Masten, Matthews, McIntosh, Meares, Mosely, Ogburn, Pearson, Pickett, Richardson, Routh, Rushing, Scott, Sharp, Siler, Speer, Stewart, Stiles, Tate, Tomlinson, Waddill, White of Cabarrus, White of Bladen, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Benbury, Blow, Bridgers, Bright, Bullock, Dancy, Davidson, Eborn, Erwin, Ferebee, Gilliam, Green, Hargrove, Hester, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Kelly, Lewis of Nash, Love, Lyon of Orange, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Reeves, Rumley, Sauls, Scales, Settle, Slaughter, Smallwood, Speight, Strayhorn, Stubbs, Thompson, Toms, Ward, Waugh and Withers.

So the amendment of Mr. Gilliam was stricken out. The question recurring, Mr. Blow moved an amendment which was adopted. Mr. Badham moved to amend as follows, viz:

“No bank in this State shall pay out any of its own bills under the denomination of three dollars, when said bills are in a defaced or mutilated condition.”

This amendment was adopted. Mr. Badham moved further to amend as follows, viz:

“No bank shall pay out any of its own bills returned to it under said denomination, when said bills have been in circulation for the space of one year.”

This amendment was not adopted. The question recurred Shall this bill pass the third reading? and it was put, and

Decided in the affirmative—Yeas ..... 53

Nays ..... 43

On motion of Mr. Gilliam,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Baxter, Bethea, Blanton, Bynum, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Dills, Eller, Elliott, Folk, Gaither, Gentry, Glass, Hackney, Hall, Harrell, Leach, Little, Long, Lyon of Orange, Mabry, Mann, March, Martin, Masten, Matthews, McIntosh, Meares, Moseley, Ogburn, Pearson, Reeves, Richardson Routh, Scott, Sharp, Siler, Speer, Stewart, Strayhorn, Tate, Tomlinson, Toms, Waddill, White of Cabarrus, White of Bladen, Williamson, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Benbury, Blow, Bridgers, Bright, Bullock, Cotten, Dancy, Davidson, Eborn, Ferebee, Gilliam, Greer, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Jarvis, Jenkins, Jennett, Kelly, Love, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rankin, Rumley, Sauls, Scales, Settle, Slaughter, Smallwood, Speight, Stubbs, Thompson, Ward, Waugh and Withers.

*Ordered*, That it be engrossed and sent to the Senate.

II. 70, to amend R. C., chapter 99, title Revenue, s. 78, then passed the third reading.

*Ordered*, That it be engrossed and sent to the Senate.

At 9 o'clock and 5m., Mr. Reeves moved the House do now adjourn; and the question thereon was put, and

Decided in the negative—Yeas ..... 39

Nays ..... 55



On motion of Mr. Bynum,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Blanton, Blow, Bridgers, Bright, Clarke, Crump, Dancy, Eborn, Ferebee, Gaither, Gentry, Hester, Hill of Stokes, Jenkins, Leach, Love, Mabry, Mann, McIntosh, Ogburn, Outlaw, Reeves, Routh, Sauls, Scott, Settle, Sharp, Slaughter, Stubbs, Thompson, Waugh, White of Cabarrus, White of Bladen, Wilson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Bledsoe, Bynum, Bullock, Caldwell, Cansler, Cox of Jones, Cox of Perquimons, Dills, Eller, Elliott, Gilliam, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hill of Halifax, Jarvis, Kelly, Little, Long, Lyon of Orange, Lyon of Granville, March, Martin, Masten, Matthews, Meares, Montgomery, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rankin, Richardson, Rumley, Rushing, Scales, Siler, Smallwood, Speer, Speight, Stewart, Strayhorn, Tate, Tomlinson, Toms, Waddill, Ward, Williamson and Withers.

H. 78, concerning mortgages and deeds of trust, passed the third and last reading.

*Ordered* to be engrossed and sent to the Senate.

H. 86, to repeal the R. C., chapter 2, title Agriculture and Geology, ss. 13-16, was

On motion of Mr. Ferebee,

Laid upon the table ; and then it being 9 o'clock and 13m.,

On motion of Mr. White of Bladen,

The House adjourned,

SATURDAY, 24TH JANUARY, 1857.

Mr. Rankin introduced the following :

*Resolved*, That a message be sent to the Senate proposing to adjourn without day on Monday, the 2d February, at 7 o'clock, A. M.

Mr. Parker moved to amend by striking out and inserting "Saturday next." Mr. Badham moved the question be laid upon the table, and this motion was put and

Decided in the negative—Yeas .....	36
Nays .....	45

On motion of Mr. Rankin,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Bethea, Bledsoe, Bynum, Caldwell, Cotten, Cox of Jones, Crump, Dancy, Elliott, Erwin, Gentry, Green, Hackney, Hall, Hill of Stokes, Lewis of Wake, Long, Love, Mabry, Martin, Masten, Meares, Ogburn, Patterson, Reeves, Richardson, Sauls, Scott, Siler, Speer, Stewart, Thompson, Ward, Waugh and Williamson.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Baxter, Benbury, Blanton, Cansler, Clarke, Cox of Perquimons, Davidson, Dills, Eller, Ferebee, Gaither, Hargrove, Harrell, Hester, Hill of Halifax, Houck, Humphrey, Jarvis, Jennett, Kelly, Lewis of Nash, Little, Lyon of Granville, Mann, Mason, Matthews, McIntosh, Outerbridge, Parker, Pitchford, Rand, Rankin, Routh, Rumley, Rushing, Slaughter, Smallwood, Speight, Stubbs, Tomlinson, Toms, White of Cabarrus, Wilson and Withers.

So the motion was not adopted. The question was then put upon the amendment of Mr. Parker, and it was not adopted. Mr. McIntosh moved to insert "Tuesday, 3d February," and the question was put, and it was not adopted. The question then recurred upon the resolution, when Mr. Dancy moved to amend by inserting "twelve o'clock," and it was not adopted. The question was then put and

Decided in the affirmative—Yeas .....	73
Nays .....	19

On motion of Mr. Hill of Halifax,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Baxter, Benbury, Blanton, Blow, Bullock, Caldwell, Cansler, Cox of Perquimons, Dancy, Davidson, Dills, Eborn, Eller, Elliott, Ferebee, Gaither, Gentry,

Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jennett, Jones, Kelly, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Granville, Mabry, Mann, March, Martin, Mason, Masten, Matthews, Mosely, Ogurn, Outerbridge, Pickett, Pitchford, Rand, Rankin, Richardson, Routh, Rumley, Rushing, Sauls, Scott, Siler, Smallwood, Speer, Speight, Stewart, Stiles, Stubbs, Tate, Tomlinson, Toms, Waugh, White of Cabarrus, Williamson, Wilson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Bethea, Bynum, Cotten, Crump, Erwin, Glass, Hill of Stokes, Jenkins, Love, McIntosh, Parker, Patterson, Reeves, Scales, Slaughter, Thompson, Ward and Whitson.

So the resolution was adopted, and the message sent accordingly.

Bills and joint resolutions of the titles following were introduced, read, passed the first reading, and were filed for the second reading, or otherwise disposed of as follows, viz :

By Mr. Love : a joint resolution (No. 488) in favor of Crabtree male and female institute, in Haywood county.

By Mr. Houck : a joint resolution (No. 489) in favor of cavalry officers and troops, and the rule being suspended, and this resolution read the second time, it did not pass, but was rejected.

By Mr. Withers : a bill (No. 490) to amend the R. C., chapter 107, title Slaves, etc., s. 30.

By Mr. Outerbridge : a bill (No. 491) to amend the R. C., chapter 99, s. 85.

By Mr. Stiles : a bill (No. 492) concerning the Western Turnpike Road.

By Mr. Speer : a bill (No. 493) concerning the Common School Fund.

By Mr. Hargrove : a bill (No. 494) to tax certain goods. Table.

By Mr. Scales : a joint resolution (No. 495) in favor of the literary board. And the rule being suspended, this resolution



also passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

And the following from the Senate, viz :

An engrossed bill (No. 496) to amend the R. C., chapter 99, title Revenue, and this was ordered to be printed and made the special order for Monday next at 12 o'clock, and until disposed of.

An engrossed bill (No. 497) to charter the American Exchange and Mining Company. And the rule being suspended, this bill was also read the second and third times, and ordered to be enrolled.

An engrossed bill (No. 498) to amend LL. 1852-'3, chapter 102, title Civil Process.

By Mr. Scott: a joint resolution (No. 499) concerning Emmons' Report, and providing for a further distribution of the same. And this resolution was also read and passed the second and third times, and

*Ordered*, To be engrossed and sent to the Senate.

By Mr. Cansler: a bill (No. 500) to amend the charter of the town of Lincolnton, and the memorial of P. Summey and others, which with the following, viz :

By Mr. Bethea: a joint resolution (No. 501) in favor of Alexander Johnson, sheriff of Cumberland, was read the second and third times, passed and

*Ordered*, To be engrossed and sent to the Senate.

Mr. Lyon of Granville introduced the following, viz : *Resolved*, That a committee of five be appointed, whose duty it shall be to enquire into the expediency of selling out the State's interest in the Cape Fear and Deep River Navigation Company, and that they be instructed to report at an early day by bill or otherwise.

Mr. Cotten moved to amend by including therein the Yadkin Navigation Company. Mr. Reeves moved to amend by including the Neuse River improvements. Mr. Waugh moved that the question be indefinitely postponed. Mr. Patterson moved to amend by inserting a postponement to the 4th of March. Mr. Hill of Stokes moved the resolution be laid upon the table, and it was so ordered.

And it being 11 o'clock, the Speaker announced the special order, viz :

H. 318, to aid in the completion of the Atlantic and N. C. Railroad, the question being, Shall this bill pass the second reading? Mr. Badham offered an amendment. Mr. Davidson moved the bill be postponed until the 22d February, and this motion was put and

Decided in the negative—Yeas .....	29
Nays .....	67

On motion of Mr. Davidson,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Blanton, Bridgers, Cansler, Davidson, Elliott, Gentry, Harrell, Hester, Holmes, Jarvis, Leach, Lewis of Nash, Little, March, Mason, Masten, Matthews, Mosely, Pearson, Ramsour, Rankin, Reeves, Richardson, Rushing, Tate, Toms, Williamson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Baxter, Benbury, Betha, Bledsoe, Blow, Bynum, Bullock, Caldwell, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Dancy, Eller, Erwin, Ferebee, Folk, Gaither, Gilliam, Glass, Green, Hackney, Hargrove, Hill of Stokes, Hill of Halifax, Houck, Humphrey, Jennett, Jones, Kelly, Long, Lyon of Granville, Mabry, Mann, Martin, McIntosh, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pickett, Pitchford, Rand, Runley, Sauls, Scales, Scott, Settle, Sharp, Siler, Slaughter, Smallwood, Speer, Speight, Stewart, Stiles, Thompson, Tomlinson, Ward, Waugh, White of Cabarrus, White of Bladen, Whitson and Wilson.

And the question being upon the amendment of Mr. Badham, Mr. Bledsoe offered an amendment thereto, which was not adopted. The question was then put upon the amendment which was in these words, viz :

“Strike out all after the enacting clause in section 1, as far as the word ‘and’ in the sixth line, and insert as follows: ‘Wherein the president and directors shall certify that 1333 additional shares of capital stock in the Atlantic and North

Carolina Railroad Company have been subscribed for by individuals, then the Public Treasurer is authorised and instructed to subscribe in behalf of the State for 2666 additional shares of said stock.'”

And this question was

Decided in the affirmative—Yeas .....	61
Nays .....	37

On motion of Mr. Badham,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Benbury, Bridgers, Bynum, Bullock, Cansler, Cotten, Crump, Dancy, Davidson, Dills, Elliott, Folk, Gentry, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Jarvis, Jenkins, Leach, Lewis of Nash, Little, Lyon of Granville, Mann, Mason, Masten, Matthews, McIntosh, Meares, Mosely, Outlaw, Outerbridge, Parker, Patterson, Pichford, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Slaughter, Smallwood, Speer, Speight, Stubbs, Tate, Tomlinson, Toms, Ward, Waugh, Williamson, Wilson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Baxter, Bethea, Blanton, Bledsoe, Blow, Caldwell, Cox of Jones, Cox of Perquimons, Eller, Erwin, Ferebee, Gaither, Gilliam, Glass, Hall, Houck, Humphrey, Jennett, Jones, Kelly, Long, Love, Mabry, Ogburn, Pickett, Ramsour, Rumley, Scales, Scott, Settle, Sharp, Siler, Stewart, Stiles, Thompson, White of Cabarrus and White of Bladen.

And the question recurring upon the passage of the bill as thus amended, Mr. Bledsoe moved an amendment, which was not adopted ; and then the question was put and

Decided in the affirmative—Yeas .....	58
Nays .....	43

On motion of Mr. Rushing,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Bledsoe, Blow, Bynum, Caldwell, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Eborn, Erwin, Gaither, Gentry,



Gilliam, Glass, Green, Hackney, Hall, Hill of Stokes, Houck, Humphrey, Jenkins, Jennett, Jones, Kelly, Lewis of Wake, Love, Mabry, Mann, McIntosh, Ogburn, Outlaw, Outerbridge, Patterson, Pearson, Pitchford, Rand, Routh, Rumley, Sauls, Scales, Scott, Settle, Sharp, Slaughter, Smallwood, Speight, Stiles, Stubbs, Thompson, Ward, White of Cabarrus, Whitson and Wilson.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Blanton, Bridgers, Bullock, Cansler, Dills, Eller, Elliott, Ferebee, Folk, Hargrove, Harrell, Hester, Hill of Halifax, Holmes, Jarvis, Leach, Lewis of Nash, Little, Long, Lyon of Granville, March, Mason, Masten, Matthews, Meares, Mosely, Parker, Pickett, Ramsour, Rankin, Reeves, Richardson, Rushing, Speer, Stewart, Tate, Tomlinson, Toms, Waugh, White of Bladen, Williamson and Withers.

So the bill passed the second reading in this House.

H. 129, to provide for the election of clerks and masters in equity by the people, passed the third reading, and

*Ordered*, That it be engrossed and sent to the Senate.

H. 220, to amend charter of the town of Salisbury, was,

On motion of Mr. Hall,

Withdrawn by him, to be amended.

H. 316, to amend R. C., chapter 17, title Cattle, s. 17, was,

On motion of Mr. Jenkins,

Indefinitely postponed.

H. 129, concerning clerks and masters, was reconsidered,

On motion of Mr. Bridgers,

And laid upon the table.

S. 396, to repeal R. C., chapter 36, title Currency, s. 6, passed the third reading.

*Ordered*, That it be enrolled.

On motion of Mr. Bledsoe,

The House considered his bill,

(H. 310) to raise a sinking fund; and the question being, Shall this bill pass the second reading? The hour for the adjournment arrived, and the House adjourned.

## AFTERNOON SESSION, SATURDAY, 24TH JANUARY.

The bills, etc., respectively entitled as follows, passed, under a suspension of the rule, the second and third readings, viz :

H. 405, to charter the Patterson Manufacturing Company.

H. 500, to amend the charter of the town of Lincolnton.

H. R. 501, in favor of Alexander Johnson, sheriff of Cumberland, the same being first,

On motion of Mr. Humphrey,

Amended so as to include the name of M. L. F. Redd, of Onslow county.

H. R. 428, in favor of John W. Wilson, of Alamance county.

*Ordered*, That they be engrossed and sent to the Senate.

The House resumed the unfinished business, being the second reading of No. 310. Mr. Stuart offered an amendment which was adopted, and then the question was put, and decided in the affirmative, and the rule being suspended, the bill passed also the third reading.

*Ordered*, That it be engrossed and sent to the Senate.

The rule being again suspended,

On motion of Mr. Elliott,

The bills, etc., respectively entitled as follows, passed the second and third readings, viz :

S. 497, to charter the American Exchange and Mining Company.

*Ordered*, That it be enrolled.

H. 420, to charter the Middleton Academy, in the county of Randolph.

H. R. 382, in favor of Concord Female College.

*Ordered*, That they be engrossed and sent to the Senate.

H. R. 266, in favor of Wm. H. Bobbitt, did not pass the second reading, but was rejected.

Yeas ..... 18

Nays ..... 77

On motion of Mr. Gilliam,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Blanton, Blow, Bynum, Bullock, Cox of Jones, Erwin, Gentry, Glass, Hargrove, Holmes, Jenkins, Lyon of Granville, Mabry, Mann, Pitchford, Richardson, Siler and White of Bladen.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Baxter, Benbury, Bethea, Bledsoe, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Eborn, Eller, Elliott, Ferebee, Folk, Gaither, Gilliam, Green, Hackney, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Humphrey, Jarvis, Jennett, Jones, Kelly, Leach, Lewis of Wake, Lewis of Nash, Little, Long, Love, March, Martin, Mason, Masten, Matthews, McIntosh, Meares, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pickett, Rankin, Reeves, Rushing, Sauls, Scales, Scott, Settle, Sharp, Smallwood, Speer, Speight, Stewart, Stiles, Stubbs, Tate, Thompson, Toms, Ward, Waugh, White of Cabarrus, Whitson, Williamson, Wilson, Withers and Yancy.

Mr. Parker moved the rule be suspended, and the bill (H. 86) to repeal R. C., chapter 2, title Agriculture and Geology, ss. 13--16, taken up; and the question thereon was put, and

Decided in the negative—Yeas .....	42
Nays .....	53

On motion of Mr. Dills,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Benbury, Bethea, Bynum, Bullock, Caldwell, Cansler, Dills, Gentry, Glass, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Humphrey, Jarvis, Lewis of Wake, Lewis of Nash, Long, Lyon of Granville, Mabry, Masten, Meares, Outlaw, Parker, Rankin, Reeves, Rushing, Sauls, Slaughter, Speer, Speight, Stewart, Stubbs, Toms, Waugh, White of Bladen, Whitson, Williamson, Withers and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Baxter, Blanton, Bledsoe, Blow, Cox of Perquimons, Crump, Dancy, Davidson, Eborn, Eller,



Elliott, Erwin, Ferebee, Folk, Gaither, Gilliam, Green, Harrell, Hill of Halifax, Houck, Jenkins, Jennett, Jones, Kelly, Leach, Little, Love, Mann, March, Martin, Mason, Matthews, McIntosh, Mosely, Ogburn, Outerbridge, Patterson, Pickett, Pitchford, Ramsour, Richardson, Routh, Scales, Scott, Settle, Siler, Smallwood, Stiles, Thompson, Ward, White of Cabarrus and Wilson.

II. 271, to charter the North-Carolina Bank; the question being, Shall this bill pass the third reading? Mr. Lewis of Wake, offered amendments which were adopted; Mr. Stubbs offered an amendment which was adopted; Mr. Stubbs offered an amendment which was not adopted; Mr. Rushing offered an amendment which was not adopted; Mr. Outlaw offered an amendment which was adopted; and the question recurring, Mr. Outlaw moved it be laid upon the table; and the question thereon was put, and

Decided in the negative—Yeas ..... 39

Nays ..... 54

On motion of Mr. Outlaw,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Benbury, Bridgers, Clarke, Cox of Perquimons, Dancy, Eller, Elliott, Ferebee, Folk, Gaither, Hill of Halifax, Holmes, Jarvis, Jenkins, Jennett, Leach, Mann, Martin, McIntosh, Ogburn, Outlaw, Outerbridge, Parker, Pickett, Sauls, Scales, Scott, Settle, Sharp, Slaughter, Smallwood, Speer, Speight, Stubbs, White of Cabarrus, Williamson, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Baxter, Bethea, Blanton, Bledsoe, Blow, Bynum, Bullock, Caldwell, Cansler, Cotten, Crump, Davidson, Dills, Eborn, Gentry, Gilliam, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Houck, Humphrey, Jones, Kelly, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Granville, March, Masten, Matthews, Mosely, Patterson, Pitchford, Ramsour, Rankin, Reeves, Routh, Rushing, Siler, Stewart, Stiles, Thompson, Toms, Waddill, Waugh and White of Bladen.

And the question recurred. Mr. Jenkins moved to strike out Mr. Benbury's amendment, which provided for an examination of the books, and it was adopted. Mr. Rushing moved an amendment, which was adopted; Mr. Cansler moved an amendment, which was not adopted. The question was then put, and

Decided in the negative—Yeas .....	47
Nays .....	48

On motion of Mr. Lewis of Wake,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Bethea, Blanton, Bledsoe, Bynum, Bullock, Cansler, Cotten, Dills, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Jarvis, Kelly, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Granville, Mabry, Masten, Matthews, Mosely, Outerbridge, Patterson, Ramsour, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Settle, Speight, Stewart, Thompson, Waddill, Waugh, White of Bladen, Williamson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Baxter, Benbury, Bridgers, Caldwell, Clarke, Cox of Perquimons, Crump, Dancy, Davidson, Eborn, Eller, Elliott, Erwin, Ferebee, Folk, Gaither, Hill of Halifax, Houck, Holmes, Humphrey, Jenkins, Jennett, Jones, Leach, Mann, March, Martin, McIntosh, Meares, Ogburn, Outlaw, Parker, Pickett, Pitchford, Richardson, Scott, Sharp, Siler, Slaughter, Smallwood, Speer, Stubbs, Toms, Ward, White of Cabarrus, Wilson and Yancy.

On motion of Mr. Gilliam,

*Ordered*, That this afternoon session be extended to half-past six, P. M., and when the House adjourns, it will be to meet at 10 o'clock on Monday.

Mr. Thompson moved that the rule be suspended, and the bill (No. 318) to aid in the completion of the Atlantic and N. C. Railroad, taken up for the third reading, and it was

Decided in the negative—Yeas .....	43
Nays .....	47

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Bledsoe, Bynum, Caldwell, Cotten, Cox of Perquimons, Eborn, Glass, Green Hackney, Hall, Hill of Stokes, Hill of Halifax, Houck, Holmes; Humphrey, Jarvis, Jenkins, Jones, Kelly, Lewis of Wake, Long, Mabry, McIntosh, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Sauls, Scales, Scott, Settle, Sharp, Slaughter, Speight, Stewart, Thompson, Ward, Wilson and Withers.

And the following voted in the negative, viz :

NAYS.—Messrs. Baxter, Benbury, Blanton, Bullock, Cansler, Clarke, Crump, Davidson, Dills, Eller, Elliott, Ferebee, Folk, Gaither, Hargrove, Harrell, Hester, Jennett, Leach, Lewis of Nash, Little, Love, Lyon of G., Mann, March, Martin, Mason, Masten, Meares, Mosely, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Siler, Smallwood, Speer, Stiles, Stubbs, Toms, Waddill, Waugh, White of Cabarrus, White of Bladen and Yancy.

So the rule was not suspended.

Mr. Humphrey moved that the vote by which the bill (No. 271) to charter the North Carolina Bank had been rejected be reconsidered. Mr. Ferebee moved to lay the same upon the table; and this question was put and decided in the affirmative.

The enrolled bills, etc., respectively entitled as follows, reported as truly enrolled, were signed by the Speaker, viz :

S. 275, concerning the clerks of the supreme court.

S. 249, to amend the charter of the Tuckasege and Nantahala Turnpike Company.

H. 287, to charter the Mt. Olivet Academy in the county of Randolph.

S. R. 483, in favor of Thomas Williams.

S. 246, to amend the charter of the Okonolufita and Qualla Turnpike Company.

S. 273, to charter the Salem Cemetery Company.

S. 458, to charter the Tuckasege Land Company.



S. 248, to amend the charter of the Tuckasege Land Company.

S. R. 427, concerning coupons in the Comptroller's office.

H. 282, to extend the powers of the Trustees of the Greenhill Academy.

S. 212, to abolish trials by jury in the county of Polk.

H. 188, to charter the town of Marion in the county of McDowell.

H. 250, in favor of and concerning the clerks of the county court of Craven.

S. 181, to increase the pay of witnesses in the county of Duplin.

H. 333, to regulate the militia in the county of Union.

H. 116, to authorise Samuel S. Biddle to erect a bridge across Neuse river.

H. 193, to change the name of New Institute.

H. R. 79, in favor of Elizabeth Kissam.

S. R. 216, in favor of a U. S. naval depot at Beaufort harbor.

S. R. 451, concerning a further supply of fuel and wood.

H. 256, to charter the town of Waynesville in the county of Haywood.

H. R. 163, in favor of James Morrison.

H. R. 164, in favor of Eliza Hemphill.

On motion of Mr. Bridgers,

H. 129, was taken up, and the question being, Shall this bill pass the third reading? Mr. Bridgers offered an amendment, which was adopted; Mr. Meares offered an amendment, pending which Mr. Outlaw moved the bill be indefinitely postponed, and the question thereon was put and

Decided in the negative—Yeas ..... 35

Nays ..... 46

On motion of Mr. Bynum,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Cansler, Clarke, Cox of Perquimons, Davidson, Eller, Elliott, Ferebee, Folk, Gentry, Harrell, Hill of Stokes, Houck, Holmes, Humphrey, Jarvis, Leach, Long,

Martin, Matthews, McIntosh, Meares, Outlaw, Outerbridge, Reeves, Scales, Sharp, Slaughter, Speer, Stewart, Toms, Waddill, White of Cabarrus, Wilson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Blanton, Bledsoe, Bridgers, Bynum, Bullock, Caldwell, Cotten, Dills, Eborn, Gaither, Gilliam, Glass, Green, Hackney, Hargrove, Hester, Hill of Halifax, Jenkins, Jennett, Kelly, Lewis of Nash, Love, Lyon of Granville, Mann, Masten, Ogburn, Parker, Patterson, Pitchford, Ramsour, Rankin, Routh, Rushing, Sauls, Scott, Smallwood, Speight, Stubbs, Thompson, Ward, Waugh, White of Bladen, Whitson, Williamson and Withers.

So the House refused indefinitely to postpone, and the question recurred; Mr. Meares moved to amend as follows, viz :

“*Provided*, The provisions of this act shall not apply to the following counties, viz: Cumberland, Brunswick, Iredell, Bertie, Perquimons, Wilkes, Surry, Ashe, Moore, Stanly, Rowan, Madison, Mecklenburg, Caldwell, Lenoir, Randolph, Montgomery, Davidson, Catawba, Lincoln, Yadkin, McDowell, Alexander, Union, Camden, Watauga, Martin, Gates, Gaston, Currituck, Hyde, Guilford, Hertford, Jackson, Rockingham, Rutherford, New-Hanover, Cherokee, Macon, Onslow, Burke, Columbus, Cleveland and Stokes.”

Mr. Martin moved the bill be postponed until the 4th March; and the question thereon was put, and

Decided in the affirmative—Yeas .....	59
Nays .....	30

On motion of Mr. Patterson,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Baxter, Blanton, Caldwell, Cansler, Clarke, Cox of Perquimons, Davidson, Dills, Eller, Elliott, Ferebee, Folk, Gaither, Glass, Hall, Harrell, Hill of Stokes, Houck, Holmes, Jarvis, Jennett, Leach, Lewis of Wake, Little, Long, March, Martin, McIntosh, Meares, Ogburn, Outlaw, Outerbridge, Pickett, Ramsour, Rankin, Reeves, Routh, Rushing, Scales, Scott, Settle, Sharp, Siler,

Slaughter, Smallwood, Speer, Speight, Stewart, Stiles, Thompson, Toms, Waddill, Whitson, Williamson, Wilson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Benbury, Bethea, Bledsoe, Bridgers, Bynum, Bullock, Cotten, Eborn, Gilliam, Green, Hackney, Hargrove, Hester, Hill of H., Jenkins, Kelly, Lewis of Nash, Love, Lyon of Granville, Mann, Masten, Parker, Patterson, Pitchford, Richardson, Sauls, Stubbs, Ward, Waugh and White of Cabarrus.

Mr. Reeves moved that the committee on internal improvements be discharged from the further consideration of H. 334, and it was adopted. He further moved that it be made the special order for Wednesday next, at 11 o'clock, and it was not adopted; Mr. Meares moved that the committee on corporations and the currency be discharged from the further consideration of H. 335; and it was so ordered.

On motion of Mr. Lewis of Wake,

The use of the Hall was granted the Oak City Guards, for a charity concert, on Wednesday evening next, from 7 o'clock.

H. 243, to improve Pasquotank river; the question being, Shall this bill pass the second reading? Mr. Jenkins moved it be postponed until the 4th March, and that it have the precedence in the orders of that day; and this question was put, and it was

Decided in the negative—Yeas .....	39
Nays .....	49

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Bledsoe, Bridgers, Bynum, Bullock, Cotten, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Lewis of Wake, Lewis of Nash, Long, Lyon of Granville, Masten, Onterbridge, Parker, Patterson, Pitchford, Sauls, Scales, Settle, Speight, Thompson, Waugh, Williamson, Withers and Yancy.

The following voted in the negative, viz :



NAYS.—Messrs. Baxter, Benbury, Bethea, Blanton, Caldwell, Cansler, Cox of Perquimons, Crump, Davidson, Dills, Eborn, Eller, Elliott, Ferebee, Folk, Gaither, Gilliam, Houck, Kelly, Leach, Little, Love, Mabry, Mann, March, Martin, McIntosh, Meares, Ogburn, Outlaw, Pickett, Ramsour, Reeves, Richardson, Routh, Rushing, Scott, Sharp, Siler, Slaughter, Smallwood, Speer, Stewart, Stiles, Stubbs, Toms, Waddill, White of Cabarrus and Wilson.

So the House refused to postpone the question, and it recurred. Mr. Parker moved an amendment, and it was not adopted. Mr. Hill of Stokes, an amendment, not adopted; and then it was put, and

Decided in the negative—Yeas .....	23
Nays .....	60

On motion of Mr. Outerbridge,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Benbury, Bethea, Blanton, Cox of Perquimons, Eller, Elliott, Ferebee, Kelly, Little, Mabry, Mann, Martin, Meares, Outlaw, Rushing, Sharp, Siler, Slaughter, Smallwood, Stiles, White of Cabarrus and Wilson.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Bledsoe, Bridgers, Bynum, Bullock, Caldwell, Cansler, Cotten, Crump, Davidson, Dills, Eborn, Folk, Gaither, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Holmes, Humphrey, Jarvis, Jenkins, Leach, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Granville, March, Masten, McIntosh, Ogburn, Outerbridge, Parker, Patterson, Pickett, Pitchford, Reeves, Routh, Sauls, Scales, Scott, Settle, Speer, Speight, Stewart, Thompson, Toms, Ward, Waugh, Whitson, Williamson, Withers and Yancy.

So this bill did not pass the second reading, and the rule being suspended,

On motion of Mr. Badham,

H. 252, to repeal the R. C., chapter 44, title Evidence, s. 12, was read the second time and the question put, Shall this bill pass the second reading? when,

On motion of Mr. Badham,  
And at 6 o'clock and 20m.,  
The House adjourned.

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MONDAY, 26<sup>TH</sup> JANUARY, 1857.

Mr. Ferebee introduced a resolution (H. R. 502) concerning a State cabinet of minerals, and the same was read the first time, passed, and the rules being suspended, read the second and third times, passed, and ordered to be engrossed and sent to the Senate.

On motion of Mr. Davidson,

Leave of absence was given to Mr. Baxter from and after Friday next, until the end of the session.

Mr. Erwin, from the committee on internal improvements, reported favorably Nos. 313, 350, 371 and 295.

Mr. Hill of Halifax, from the committee on corporations and the currency, reported, in obedience to the order of the House of yesterday, returning Nos. 347, 386, 385, 387 and 388.

Mr. Yancy, from the committee on internal improvements, reported favorably with amendments, House bill No. 48.

The following bills were then introduced, read the first time, passed the first reading, and were filed for the second reading, or otherwise disposed of as follows, viz:

By Mr. Dills: a joint resolution (No. 503) concerning the State Agent, in Jackson county, read three times, passed.

*Ordered* to be engrossed and sent to the Senate.

By Mr. Bynum: a bill (No. 504) to consolidate the offices of superior court clerk and clerk and master in certain counties, read three times, passed.

*Ordered* to be engrossed and sent to the Senate.

By Mr. March: a bill (No. 505) to amend the charter of the town of Salisbury.

By Mr. Gaither: a bill (No. 506) to charter the Eagle Mills Manufacturing Company.

By Mr. Martin: a bill (No. 507) to lay off a public road in Surry and Wilkes counties.

On motion of Mr. Davidson,

Mr. Hill's resolution concerning debate was taken up and read; and the question being put, and a division called for, the question was first put upon resolution No. 1, and

Decided in the affirmative—Yeas .....	83
Nays .....	26

On motion of Mr. Waddill,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Dancy, Davidson, Dills, Eller, Folk, Gaither, Gentry, Gilliam, Glass, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Leach, Leitch, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, March, Masten, Matthews, McIntosh, Meares, Outerbridge, Parker, Patterson, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Settle, Siler, Slaughter, Smallwood, Speer, Speight, Stewart, Strayhorn, Tate, Thompson, Toms, Waddill, Ward, Waugh, White of Sampson, Williamson, Wilson, Withers and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Baxter, Benbury, Caldwell, Cotten, Crump, Eborn, Elliott, Erwin, Ferebee, Houck, Jennett, Lewis of Wake, Martin, Ogburn, Outlaw, Pearson, Pitchford, Scott, Sharp, Stiles, Stubbs, White of Cabarrus, White of Bladen and Whitson.

So the resolution 1 was adopted. The question was then put upon the resolution 2, and it was not adopted; there being counted

In the affirmative .....	41 votes.
In the negative .....	45 “

Mr. Houck moved to take up the bill (S. 352) and it was not adopted; and the unfinished business coming up,



On motion of Mr. Badham,

The unfinished business was postponed until half-past 7 o'clock, P. M., and it being 11 o'clock, the special order considered, viz:

H. 2, to charter the People's Bank; the question being, Shall this bill pass the third reading? Pending which, a message from the Senate announced that they concurred in the proposition to adjourn on Monday next. Another message announced the nomination in that body of certain justices of the peace for the county of Ashe, which was, on motion of Mr. Gentry, laid upon the table, and the question resumed, when the amendments proposed by the committee were adopted. Mr. Baxter moved an amendment, which was adopted. Mr. Montgomery, an amendment, which was not adopted; and the question recurred, and was put and

Decided in the negative—Yeas .....	41
Nays .....	66

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Baxter, Benbury, Bethea, Caldwell, Clarke, Cox of Perquimons, Crump, Eborn, Eller, Elliott, Ferebee, Folk, Gaither, Gilliam, Harrell, Houck, Jennett, Leach, Leitch, Love, Mabry, Mann, March, Martin, McIntosh, Ogburn, Richardson, Routh, Rumley, Scott, Sharp, Siler, Speer, Stiles, Stubbs, Toms, Waddill, Ward, White of Cabarrus, Whitson, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Cotten, Cox of Jones, Daney, Davidson, Dills, Erwin, Gentry, Glass, Green, Hackney, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Masten, Matthews, Meares, Montgomery, Moseley, Outlaw, Outerbridge, Parker, Patterson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Rushing, Sauls, Scales, Settle, Slaughter, Smallwood, Speight, Stewart, Strayhorn, Tate,

Thompson, Waugh, White of Sampson, White of Bladen, Williamson and Withers.

H. 8, to amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company; the question being, Shall this bill pass the third reading? Mr. Meares offered an amendment, which was adopted; and Mr. Davidson offered an amendment, which was adopted; and Mr. Bethea offered an amendment, pending which,

On motion of Mr. Green,

The bill and amendments were ordered to be printed.

H. 318, to complete the N. Carolina and Atlantic Railroad, the question being, Shall this bill pass the third reading? Mr. Bledsoe offered an amendment, which was adopted; and the question recurred, pending which, the hour of 12 o'clock arrived, and the Speaker announced the special order,

S. 496, to amend the Revised Code, chapter 99, entitled Revenue, and the bill was read the second time, and the question put, Shall this bill pass the second reading? when,

Mr. Meares offered a substitute as follows, viz:

“Strike out all after the enacting clause and insert the following: ‘That each and every railroad company lying wholly or partially in this State, shall, on the 1st Monday in June and December in each and every year, cause its president or other proper officer to make due return under oath to the Comptroller of the number of through passengers from whom they have received its fares during the preceding six months, and likewise the number of way passengers, and the number of miles traveled by them over said road during that time, and also the aggregate amount collected by said company for the transportation of all goods and articles of every description, and said company shall pay on said first Mondays of June and December to the Treasurer of the State the sum of fifty cents for all such through passengers, and one-half cent per mile for each and every mile travelled by such way passengers, provided that the tax for no way passenger shall exceed fifty cents, and for the transportation of goods and other articles said company shall pay to the Treasurer five per cent. upon the aggregate amount received by said company.

SEC. 2. *Be it further enacted*, That each and every canal company, and each and every navigation company lying wholly or partially in this State, shall cause its president or other proper officer to make due return upon oath to the Comptroller on or before the first Monday of June and December in each and every year, of the aggregate amount collected by said company, for the six months preceding said first Monday in June or December, and shall then pay to the Treasurer of the State the sum of five per cent. upon the aggregate amount so collected by it.

SEC. 3. *Be it further enacted*, That each and every company failing or refusing to comply with the provisions of this act shall be subject to a double tax; and one or more suits to recover the same shall be instituted in the superior courts of law or equity for the county of Wake, and upon the trial of the same, the president and other officers or agents shall be required to appear and testify, and produce all necessary books, papers and documents, so as to ascertain the amount truly due to the State. And said suits shall be instituted and conducted by the Attorney-General, who shall receive such compensation therefor, as the General Assembly shall decide.

SEC. 4. *Be it further enacted*, That the owner of each and every steanboat or sailing vessel, that shall transport any passengers, goods or other articles, upon any canal, or upon any river upon which tolls are charged by any company, or by any person; or upon any river, and in that part thereof, upon which the State has expended any money for the improvement of the navigation thereof, shall render annually in his tax list, in his proper county, under oath, the number of passengers transported and charged by him or them, and the aggregate amount received by him or them for the transportation of goods or other articles, and such owner or owners shall pay to the Sheriff, when paying his other taxes, twenty-five cents for every passenger, and two and a half per cent. upon the aggregate amount collected from the transportation of goods or other articles.

SEC. 5. *Be it further enacted*, That if the owner or owners of any boat or boats shall fail to render and pay his tax as



prescribed in the preceding section, he or they shall be liable for a double tax thereon; and said boat or boats shall be seized and sold by the Sheriff for the payment of the same; and in case the owner or owners of any such boat shall not reside within the State, then it shall be the duty of the Sheriff, in any county, in which said boat or boats shall be discharging or receiving any loading or passengers, to seize and detain said boat or boats until the captain, or agent of such owner, shall deliver to the Sheriff a bond with two good and sufficient sureties, payable to the State of North Carolina, in the sum of five thousand dollars, conditioned for the full and faithful payment of the tax herein imposed, when the same shall become due. And the Sheriff, upon receiving said bond, shall give to the captain or agent a certificate of the fact, and no other bond during that fiscal year shall be demanded by any other Sheriff on the line of that canal or river.

SEC. 6. *Be it further enacted*, That this act shall take effect from and after the first Monday in June next.'"

And the question being thereon, and a division demanded, the question was first put upon striking out,

Decided in the negative—Yeas .....	46
Nays .....	65

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Blanton, Bynum, Cansler, Clarke, Cox of Perquimons, Crump, Dargan, Eborn, Eller, Erwin, Ferebee, Folk, Gaither, Gentry, Hackney, Humphrey, Jennett, Leach, Leitch, Little, Mann, Martin, Masten, McIntosh, Meares, Pearson, Pickett, Ramsour, Reeves, Richardson, Rumley, Rushing, Sharp, Siler, Slaughter, Speer, Stiles, Stubbs, Toms, Waddill, Waugh, White of Bladen, Whitson, Williamson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Bledsoe, Blow, Bridgers, Bright, Bullock, Caldwell, Cox of Jones, Dancy, Davidson, Dills, Elliott, Glass, Green, Hargrove, Harrell,

Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Jarvis, Jenkins, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, March, Matthews, Montgomery, Mosely, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Rand, Rankin, Routh, Sauls, Scales, Scott, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Ward, White of Sampson, White of Cabarrus, Wilson and Withers.

So the motion to strike out did not prevail, and this disposed of the amendment.

Mr. Erwin moved to strike out section 2; and the question was put thereon, and

Decided in the negative—Yeas .....	50
Nays .....	55

On motion of Mr. Erwin,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Bethea, Blanton, Caldwell, Cansler, Clarke, Cox of Perquimons, Crump, Dills, Eborn, Eller, Ferebee, Folk, Gaither, Gentry, Gilliam, Hackney, Houck, Leach, Leitch, Little, Love, Mann, March, Martin, McIntosh, Meares, Ogburn, Pearson, Pickett, Rankin, Reeves, Richardson, Routh, Rushing, Scott, Sharp, Siler, Slaughter, Southerland, Speer, Stiles, Stubbs, Toms, Waddill, White of Sampson, White of Bladen, Whitson, Williamson, Wilson and Yancy.

And the following voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Benbury, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cox of Jones, Dancy, Dargan, Davidson, Elliott, Glass, Green, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jennett, Kelly, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mabry, Masten, Matthews, Montgomery, Mosely, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Sauls, Scales, Settle, Smallwood, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Ward, Waugh, White of Cabarrus, and Withers.

The question recurred, when the hour for the adjournment arrived, and the House adjourned.

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AFTERNOON SESSION, MONDAY, 26TH JANUARY.

The Speaker announced the following committee on enrolled bills, viz: Messrs. Cansler, Reeves, Kelly, Little and March.

Pulaski Cowper, Esq., private secretary, was announced with a message from the Governor concerning the statue of Washington.

On motion of Mr. Ferebee,

A message was sent to the Senate with a proposition to print this message, and refer the same to a joint select committee of three on the part of the House and two on the part of the Senate.

Mr. Humphrey introduced a resolution (H. R. 508) concerning the executive mansion, which was read the first time and passed; and the rule being suspended, it was also read and passed successively the second and third readings.

*Ordered*, That it be engrossed and sent to the Senate.

On motion of Mr. Gaither,

The rule being suspended, the bill (H. 506) to charter the Eagle Mills Manufacturing Company was read the second and third times, passed and ordered to be engrossed and sent to the Senate.

H. 370, to establish a public road and ferry in the counties of Davie and Davidson.

On motion of Mr. March,

The rules being suspended, this bill then passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

The House resumed the consideration of the engrossed bill from the Senate (S. 496) to amend R. C., chapter 99, title Revenue; and the question recurring, Mr. Folk moved to amend by striking out 'fifty' in sec. 4, and inserting 'forty,' and Mr. Crump moved an amendment thereto.



On motion of Mr. Jenkins,

The question was first put upon the motion to strike out, and

Decided in the negative—Yeas .....	51
Nays .....	53

On motion of Mr. Toms,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Blanton, Bynum, Cansler, Clarke, Cox of Perquimons, Crump, Dargan, Dills, Eborn, Eller, Ferebee, Folk, Gaither, Gentry, Gilliam, Hackney, Harrell, Houck, Jennett, Leach, Leitch, Little, Love, Mann, March, Martin, McIntosh, Meares, Ogburn, Pearson, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scott, Sharp, Siler, Slaughter, Speer, Stewart, Stiles, Stubbs, Toms, Waddill, White of Bladen, Whitson, Williamson, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Bledsoe, Blow, Bridgers, Bullock, Cox of Jones, Dancy, Davidson, Elliott, Glass, Green, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnson, Kelly, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mabry, Masten, Matthews, Montgomery, Mosely, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Rand, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Strayhorn, Tate, Thompson, Tomlinson, Ward, Waugh, White of Sampson, White of Cabarrus and Withers.

*Ordered*, That the question be put severally upon each section.

Section 19 was then read, and the question put thereon, when Mr. Bridgers moved to amend by inserting "July" and striking out "April;" a division being called for, there were counted

In the affirmative .....	30 votes,
In the negative .....	48 "

So the amendment was not adopted.

Section 20 was read, the question being thereon Mr. Bridgers moved to amend by striking out the same and inserting a

substitute offered by him; and the question was first put upon the motion to strike out, and there being counted

In the affirmative ..... 51 votes,  
In the negative ..... 30 “

It was adopted. Mr. White of Cabarrus then offered an amendment, which was not adopted; and the question being upon inserting the substitute, it was not agreed to. Mr. Jenkins then moved to reconsider the vote by which the section had been stricken out, and it was

Decided in the affirmative—Yeas ..... 72  
Nays ..... 38

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bynum, Bullock, Cox of Jones, Dargan, Eborn, Ferebee, Gaither, Glass, Green, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Jones, Kelly, Leitch, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mabry, Mann, March, Masten, Matthews, McIntosh, Mosely, Ogburn, Outerbridge, Parker, Pearson, Pitchford, Ramsour, Rushing, Sauls, Scales, Settle, Sharp, Siler, Slaughter, Smallwood, Southerland, Speight, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Waugh, White of Sampson, White of Cabarrus, Whitson, Williamson, Wilson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Bridgers, Cansler, Clarke, Cotten, Cox of Perquimons, Crump, Lancy, Davidson, Dills, Eller, Elliott, Folk, Gentry, Gilliam, Hackney, Johnson, Leach, Little, Martin, Meares, Montgomery, Outlaw, Patterson, Pickett, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Scott, Speer, Stewart, Toms, Waddill, Ward, White of Bladen and Yancy.

Mr. Bridgers again moved to strike out sec. 20, and insert another substitute offered by him, and the question thereon was put, and it was not adopted; Mr. Long offered an amendment, which was not adopted; Mr. Bullock moved to strike out in s. 2 all after the word “cents.,” and he moved that the

yeas and nays be ordered, and withdrew the motion; Mr. Bullock then moved to amend by adding at the end of the same: "Provided it is not of the growth or manufacture of this State," and withdrew the motion; Mr. Folk renewed the motion first made by Mr. Bullock, and the question was first put upon the motion to strike out, and it was

Decided in the negative—Yeas ..... 48  
Nays ..... 51

On motion of Mr. Folk,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Blanton, Bullock, Cox of Perquimons, Crump, Dargan, Dills, Eborn, Eller, Elliott, Ferebee, Folk, Gaither, Gentry, Hackney, Hargrove, Hester, Jennett, Leach, Leitch, Little, Love, Lyon of Orange, Lyon of Granville, Mann, March, Martin, Masten, McIntosh, Ogburn, Pearson, Pickett, Ramsour, Rand, Reeves, Richardson, Routh, Sharp, Siler, Smallwood, Speer, Stiles, Tomlinson, Waddill, Waugh, Whitson, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Bledsoe, Blow, Cansler, Cox of Jones, Dancy, Davidson, Glass, Green, Harrell, Hill of Stokes, Hill of Halifax, Honck, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of W., Lewis of Nash, Long, Mabry, Matthews, Montgomery, Moseley, Outerbridge, Parker, Pitchford, Rankin, Rumley, Rushing, Sauls, Scales, Scott, Settle, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Toms, Ward, White of Sampson, White of Cabarrus, Williamson and Withers.

So the House refused to strike out, and this disposed of the proposed amendment.

Sec. 23 was then read, and Mr. Jenkins moved to amend by inserting therein the words "pleasure boats," and it was not adopted. Mr. Scott offered an amendment which was not adopted; Mr. Crump offered an amendment which was not adopted. Mr. Mann moved to strike out the word "30" in clause 5, and insert "20;" and the question was put, and

Decided in the negative—Yeas ..... 31  
Nays ..... 74



On motion of Mr. Mann,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Blanton, Bridgers, Cansler, Crump, Dills, Folk, Gilliam, Hargrove, Hester, Hill of Stokes, Houck, Humphrey, Long, Lyon of Orange, Lyon of Granville, Mann, March, Martin, Meares, Pearson, Pickett, Ramsour, Reeves, Richardson, Rumley, Stiles, Stubbs, Waddill, Waugh and White of Bladen.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Bledsoe, Blow, Bullock, Caldwell, Clarke, Cox of Jones, Cox of Perquimons, Dancy, Davidson, Eborn, Eller, Elliott, Ferebee, Gaither, Gentry, Glass, Green, Hackney, Harrell, Hill of Halifax, Holmes, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leach, Leitch, Lewis of Wake, Lewis of Nash, Little, Love, Mabry, Martin, Matthews, McIntosh, Montgomery, Mosely, Ogburn, Outerbridge, Parker, Patterson, Pitchford, Rand, Rankin, Routh, Rushing, Sauls, Scales, Scott, Settle, Sharp, Slaughter, Smallwood, Southerland, Speer, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, White of Cabarrus, Whitson, Williamson, Wilson, Withers and Yancy.

So the amendment was not adopted. Mr. Reeves offered an amendment which was not adopted; Mr. Pickett offered an amendment, Mr. Bledsoe an amendment thereto, which was adopted, and then the amendment of Mr. Pickett was passed over; Mr. Waugh offered an amendment which was not adopted; Mr. Leach offered an amendment, and moved the yeas and nays be ordered thereon; pending which, Mr. Ward offered an amendment thereto, which was not adopted; Mr. Mann offered an amendment thereto, which was not adopted; Mr. Meares an amendment thereto, which was not adopted; Mr. Pitchford an amendment thereto, which was not adopted; Mr. Lewis of Wake, offered the following amendment: "Strike out the words "or less" in clause 6 of section 23 and in the 26th line, and it was adopted; then Mr. Mann moved an amendment (the question recurring upon the

amendment of Mr. Leach,) and it was not adopted; there being counted,

In the affirmative ..... 20 votes.

In the negative ..... 43 “

Mr. Crump moved an amendment which was not adopted; and then the question recurred, and the yeas and nays being already ordered, the same was put, when the hour for the close of the morning session arrived, and the House adjourned.

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NIGHT SESSION, MONDAY, 26TH JANUARY.

On motion of Mr. Jenkins,

The rule was suspended, and the following bills and joint resolutions passed the second and third readings, and were ordered to be engrossed and sent to the Senate, viz:

H. 504, to consolidate the office of clerks and clerks and masters in equity in certain counties, the same being first amended by inserting the counties of Haywood and Pasquotank.

H. 348, to charter the Greenville and Murfreesborough Railroad Company; the same being first amended.

On motion of Mr. Slaughter,

H. 339, to restore jury trials in the county court of Cleveland, and for other purposes; the same being first amended,

On motion of Mr. Rankin,

So as to add the county of Gaston.

H. R. 328, in favor of John Alexander and others.

H. R. 503, concerning the State Agent in the county of Jackson.

S. 374, to extend the time of payment of bonds of the Seaboard and Roanoke Railroad Company.

S. 139 being then called and read the second time, and the question being, Shall this bill pass the second reading? Mr. Speer moved to amend by striking out the words “west of the county of Surry,” in the first section; and the question

was put, but the hour of half-past seven o'clock arriving, the Speaker announced the special order; and the bill

H. 252, to repeal R. C., chapter 44, title Evidence, s. 12, was accordingly read the second time, and the question thereon put, when

Mr. Gilliam on the part of himself, R. R. Bridgers, D. Outlaw, J. R. Stubbs and A. J. Dargan, a minority of the judiciary committee, submitted a minority report, which was read, and then Mr. Gilliam moved the bill be laid upon the table; and the question was put, and it was not adopted, there being counted

In the affirmative .....	35 votes.
In the negative .....	47 "

The question then recurred upon the passage of the bill the second reading, and it was put, and

Decided in the affirmative—Yeas .....	56
Nays .....	39

On motion of Mr. Sharp,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bright, Bullock, Cansler, Clarke, Cox of Jones, Davidson, Dills, Gentry, Glass, Hargrove, Hester, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Leach, Leitch, Long, Love, Lyon of Orange, Lyon of Granville, Masten, McIntosh, Meares, Parker, Patterson, Pitchford, Ramsour, Reeves, Routh, Rumley, Rushing, Sauls, Scales, Settle, Siler, Smallwood, Southerland, Speight, Stewart, Tate, Thompson, Tomlinson, Toms, Waugh, White of Sampson, White of Bladen, Williamson and Withers.

And the following voted in the negative, viz:

NAYS.—Messrs. Baxter, Bridgers, Caldwell, Cotten, Cox of Perquimons, Crump, Dancy, Eborn, Eller, Elliott, Ferebee, Folk, Gaither, Gilliam, Green, Hackney, Harrell, Jennett, Kelly, Lewis of Nash, Little, Mabry, Mann, March, Martin, Ogburn, Outlaw, Outerbridge, Rand, Richardson, Scott, Sharp, Slaughter, Strayhorn, Stubbs, Waddill, Ward, White of Cabarrus and Whitson.



Mr. Yancy paired off with Mr. Pickett.

So the bill passed the second reading, and then the rule being suspended, the bill passed the third reading, and was ordered to be engrossed and sent to the Senate. And the House resumed the consideration of S. 139, to charter the Virginia and North-Carolina Railroad Company, the pending question being the motion of Mr. Folk to lay the bill on the table, and the same was put and adopted.

H. 295, to provide for the construction and repair of public roads in this State, being called and read the second time, and the question put, did not pass the second reading, but was rejected, there being counted,

Yeas .....	34
Nays .....	35

At 9 o'clock and 20m. Mr. Yancy moved the House adjourn, and the question was put and

Decided in the negative—Yeas .....	31
Nays .....	54

On motion of Mr. Parker,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Baxter, Bethea, Bridgers, Bright, Clarke, Cotten, Dancy, Eborn, Elliott, Gaither, Love, Mabry, March, Masten, Ogburn, Outlaw, Rand, Richardson, Routh, Scales, Scott, Sharp, Slaughter, Waugh, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Blanton, Bledsoe, Blow, Bullock, Cansler, Cox of Perquimons, Crump, Davidson, Dills, Eller, Ferebee, Gilliam, Glass, Green, Hargrove, Harrell, Hester, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Leach, Little, Long, Lyon of Orange, Lyon of Granville, Mann, Martin, McIntosh, Meares, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rankin, Rumley, Rushing, Sauls, Settle, Siler, Smallwood, Speight, Stewart, Strayhorn, Stubbs, Thompson, Tomlinson, Toms, Waddill and Withers.

At 9 o'clock and 40m., Mr. Waugh moved the House adjourn, and the question was put, and

Decided in the negative—Yeas ..... 38

Nays ..... 46

On motion of Mr. Gaither,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Bethea, Bridgers, Bright, Caldwell, Clarke, Cotten, Crump, Eborn, Eller, Ferebee, Gilliam, Glass, Green, Holmes, Jarvis, Jenkins, Leitch, Love, Mabry, Mann, March, Masten, McIntosh, Ogburn, Outlaw, Reeves, Routh, Scott, Settle, Sharp, Siler, Waugh, White of Sampson, White of Cabarrus, White of Bladen and Williamson.

Those who voted in the negative were:

NAYS.—Messrs. Blanton, Bledsoe, Cansler, Cox of Perquimons, Davidson, Dills, Elliott, Folk, Gaither, Hackney, Hargrove, Harrell, Hester, Hill of Halifax, Humphrey, Johnston, Little, Long, Lyon of Orange, Lyon of Granville, Martin, Meares, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rankin, Richardson, Rumley, Rushing, Sauls, Slaughter, Smallwood, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Whitson, Withers and Yancy.

On motion of Mr. Folk, the vote by which H. 295 had been rejected was reconsidered, there being counted,

Yeas ..... 53

Nays ..... 30

Mr. Folk then moved that the bill be amended so as to restrict its provisions to the ten counties west of the Blue Ridge, except Henderson; and Mr. McIntosh moved to add the counties of Alexander, Iredell, Davie and Cabarrus; the question was put and the amendments adopted, and then the bill as amended passed the second reading, and, the rule being suspended, also the third reading, and was ordered to be engrossed and sent to the Senate.

Whereupon, at 10 o'clock and 5m.,

On motion of Mr. Clarke,

The House adjourned.

TUESDAY, 27<sup>TH</sup> JANUARY, 1857.

Mr. Dancy introduced a resolution (H. R. 509) concerning the State geologist, and the same passed the first reading; and, on motion of Mr. Dancy, the rule being suspended, the same was read the second time, and the question being, Shall this resolution pass the second reading? Mr. Withers moved an amendment which was adopted, there being counted,

Yeas .....	46
Nays .....	16

And then the resolution passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

The following bills were then introduced, read the first time, passed the first reading and were filed for the second reading as follows, viz:

By Mr. Holmes: a joint resolution (No. 510) concerning Moore's Creek monument.

By Mr. Sharp: a bill (No. 511) concerning guardian and ward.

By Mr. Scott: a bill (No. 512) to amend the constitution.

By Mr. Gilliam: a bill (No. 513) concerning the lunatic asylum.

Mr. Pitchford moved the rule be suspended, and H. 513 put upon the second reading; and it was not adopted.

On motion of Mr. Meares,

The committee on internal improvements were discharged, and directed to report all unfinished business before them to the House.

And the House resumed the consideration of S. 496, the question being upon the amendment of Mr. Folk, and it was put and not adopted; and then the question being upon the amendment of Mr. Leach, as amended by the amendment of Mr. Lewis, it was adopted, there being counted

Yeas .....	57
Nays .....	27

Mr. Leach offered another amendment, which was not adopted, there being counted

Yeas .....	34
Nays .....	41



Mr. Jenkins moved to amend by striking out " $\frac{1}{2}$  per cent." and inserting " $\frac{1}{3}$  per cent." in the 6th clause of sec. 23, and it was not adopted,

Yeas .....	10
Nays .....	89

On motion of Mr. Jenkins,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Bridgers, Crump, Glass, Houck, Jenkins, Long, Mann, Pitchford, Rushing and Siler.

And the following voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bynum, Bullock, Caldwell, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Dancy, Dargan, Davidson, Dills, Eller, Elliott, Ferebee, Folk, Gaither, Gentry, Green, Hargrove Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jennett, Johnston, Jones, Kelly, Leach, Leitch, Lewis of Wake, Lewis of Nash, Little, Lyon of Orange, Lyon of Granville, Mabry, Masten, Matthews, McIntosh, Montgomery, Morrison, Moseley, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pickett, Rand, Rankin, Reeves, Richardson, Routh, Rumley, Sauls, Scales, Scott, Settle, Slaughter, Smallwood, Southerland, Speer, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Bladen, Whitson, Williamson, Wilson, Withers and Yancy.

Mr. McIntosh then moved to strike out and insert a substitute for clause 6, sec. 23; Mr. Ward an amendment thereto; the question was first put upon the amendment of Mr. Ward, and it was not adopted; and then upon the amendment of Mr. McIntosh, and it was not adopted.

Clauses 7, 8, 9 and 10 were then read, Mr. Reeves moved an amendment, which was not adopted; Mr. Yancy an amendment, which was not adopted; and the clauses passed.

Clause 11 being read, Mr. Bridgers offered an amendment, which was adopted; and the clause passed as amended.

Clause 12 read, Mr. Stubbs moved an amendment, which

was not adopted; Mr. Scott an amendmeht, which was not adopted; Mr. Jenkins an amendment, which was not adopted; Mr. Reeves an amendment, which was not adopted; and then the clause passed.

Clauses 13 and 14 were then read and passed, and then the section as amended passed.

Sec. 24 was then read, and Mr. Mann offered an amendment, and the question was put thereon, as follows: Strike out all to the word "seller," in the 12th line, and insert a substitute as follows: "On every merchant, merchant-tailor, jeweller, or any one else who shall sell goods, wares and merchandize, including spirituous liquors, wines or cordials, one-half of one per cent. upon the amount of capital invested; on every dealer in ready-made clothing, whether for male or female, there shall be paid an annual tax of two per cent., to be paid by the seller; on every merchant or apothecary selling drugs, medicines or nostrums, as agent for other parties, a tax of one-half of one per cent. upon the amount invested;" and it was

Decided in the negative—Yeas .....	28
Nays .....	71

On motion of Mr. Mann,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Bridgers, Bullock, Caldwell, Cansler, Crump, Dills, Eborn, Gaither, Gilliam, Glass, Hackney, Hargrove, Humphrey, Jarvis, Jones, Lyon of Orange, Lyon of Granville, Mann, March, Martin, Meares, Outlaw, Reeves, Richardson, Routh, Sharp, Stiles, Waddill, Waugh and White of Bladen.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Bethea, Blanton, Bledsoe, Blow, Bright, Bynum, Clarke, Cox of Jones, Cox of Perquimons, Dancy, Dargan, Davidson, Eller, Elliott, Erwin, Ferebee, Gentry, Green, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Jenkins, Jennett, Johnston, Kelly, Leach, Leitch, Lewis of Wake, Lewis of Nash, Long, Mabry, Masten, Matthews, McIntosh, Montgomery, Mosely, Outer-

bridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rankin, Rumley, Rushing, Sauls, Scales, Scott, Settle, Smallwood, Speer, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Ward, White of Sampson, White of Cabarrus, Whitson, Williamson, Wilson, Withers and Yancy.

Mr. Reeves offered an amendment, and it was not adopted.

Yeas ..... 32

Nays ..... 66

On motion of Mr. Reeves,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Bullock, Cansler, Crump, Dills, Eller, Gaither, Gentry, Gilliam, Hargrove, Houck, Leach, Lewis of Wake, Little, Lyon of Orange, Lyon of Granville, Mabry, Mann, March, Martin, Masten, McIntosh, Meares, Ramsour, Reeves, Routh, Scott, Sharp, Speer, Toms, Waddill, Waugh and White of Cabarrus.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Caldwell, Cox of Jones, Cox of Perquimons, Dancy, Dargan, Davidson, Eborn, Elliott, Erwin, Ferebee, Folk, Glass, Green, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leitch, Lewis of Nash, Long, Love, Matthews, Montgomery, Mosely, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pickett, Pitchford, Rand, Rushing, Sauls, Scales, Settle, Siler, Southerland, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Williamson and Withers.

Mr. Bullock moved to amend by striking out "one-half of one per cent." and inserting "one-fourth of one per cent." The question was put thereon, and it was not adopted. Mr. Waugh moved to amend s. 24, by inserting after the word "capital" and before the word "on," the following, viz : "on all spirituous liquors manufactured in this State, 5 per cent. on the manufacturer; and on all spirituous liquors not



the manufacture of this State, 10 per cent.," and it was not adopted, there being counted

In the affirmative ..... 24 votes,

In the negative ..... 52 "

Mr. Reeves moved to reconsider the vote by which the House had rejected this amendment of Mr. Waugh, and the motion was put and

Decided in the negative—Yeas ..... 19

Nays ..... 73

On motion of Mr. Reeves,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Bethea, Clarke, Crump, Eller, Erwin, Gentry, Gilliam, Houck, Mabry, March, Martin, Masten, McIntosh, Reeves, Scott, Speer, Waugh, White of Cabarrus and Whitson.

And the following voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Benbury, Blanton, Bledsoe, Bridgers, Bullock, Caldwell, Cansler, Cox of Jones, Cox of Perquimons, Dargan, Davidson, Dills, Eborn, Elliott, Ferabee, Folk, Gaither, Glass, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Leitch, Lewis of Wake, Lewis of Nash, Love, Lyon of Orange, Lyon of Granville, Mann, Matthews, Meares, Montgomery, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Routh, Rumley, Rushing, Sauls, Scales, Siler, Smallwood, Southerland, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Williamson, Wilson and Withers.

Mr. Waddill moved to amend so as to insert in s. 24, after the word "capital" and before the word "on" the following: "that all North-Carolina made wines and liquors be exempt from taxation;" and the question thereon was put, and

Decided in the negative—Yeas ..... 12

Nays ..... 63

On motion of Mr. Waddill,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Dills, Love, March, Martin, Meares, Reeves, Sharp, Speer, Tomlinson, Waddill and White of Cabarrus.

And the following in the negative, viz:

NAYS.—Messrs. Bethea, Blanton, Bledsoe, Blow, Bridgers, Bynum, Bullock, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Dancy, Dargan, Davidson, Eborn, Eller, Ferebee, Glass, Green, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Kelly, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mabry, Mann, Masten, Matthews, McIntosh, Montgomery, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rankin, Rushing, Sauls, Scales, Scott, Smallwood, Speight, Stewart, Strayhorn, Stubbs, Thompson, Toms, Ward, Wilson, Withers and Yancy.

And then the House adjourned.

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AFTERNOON SESSION, TUESDAY, 27TH JANUARY.

Mr. Humphrey moved to amend so as to provide that the tax in sec. 24 shall apply to the first sale only in the State, and it was not adopted; Mr. Rushing moved to strike out the section, and it was not adopted; Mr. Holmes moved an amendment prayed for by Mr. McInnis and other memorialists of Wilmington, and it was not adopted; Mr. Bullock moved to strike out "5 per cent." and insert "3 per cent.," and the question was put thereon, and it was

Decided in the negative—Yeas .....	25
Nays .....	60

On motion of Mr. Bullock,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Blanton, Bright, Bullock, Cansler, Dills, Hargrove, Hester, Hill of Stokes, Holmes, Humphrey, Love, Lyon of Orange, Lyon of Granville, Mann, March, Masten,

Meares, Outlaw, Pearson, Reeves, Richardson, Routh, Speer, Waddill and Waugh.

And the following in the negative, viz :

NAYS.—Messrs. Bethea, Bledsoe, Blow, Bridgers, Bynum, Clarke, Cox of Jones, Cox of Perquimons, Daney, Dargan, Davidson, Eborn, Elliott, Ferebee, Gaither, Gentry, Glass, Green, Hackney, Harrell, Hill of Halifax, Houck, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Lewis of Nash, Long, Mabry, Matthews, Montgomery, Mosely, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rankin, Rumley, Rushing, Sauls, Scales, Scott, Sharp, Smallwood, Speight, Stewart, Strayhorn, Stubbs, Thompson, Tomlinson, Toms, Ward, White of Cabarrus, Williamson, Wilson, Withers and Yancy.

And then the section was adopted, and then sections 25, 26 and 27 passed. Section 28 being read, etc., Mr. Cox of Perquimons moved to amend, and it was not adopted; Mr. Hill of Stokes moved to amend, and it was not adopted; Mr. Rankin moved to amend, and it was not adopted; Mr. Martin moved to amend, and it was not adopted; Mr. Reeves moved an additional section as follows: "There shall be levied upon each and every merchant, agent or consignee a tax of 25 per cent. upon all capital employed or invested in the traffic of tobacco, not of the growth and manufacture of this State, and upon each wholesale or retail pedlar a tax of fifty dollars in each county in which said wholesale or retail pedlar shall sell or attempt to sell any tobacco not of the growth and manufacture of this State;" and the question was put thereon and

Decided in the negative—Yeas .....	4
Nays .....	89

On motion of Mr. Reeves,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Love, Reeves, Speer and Whitson.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Benbury, Bethea, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Caldwell, Cans-



ler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Dancy, Dargan, Davidson, Dills, Eborn, Eller, Elliott, Ferebee, Gaither, Gentry, Glass, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Mabry, Mann, March, Masten, Matthews, McIntosh, Montgomery, Mosely, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rankin, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Scott, Sharp, Siler, Slaughter, Smallwood, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Tons, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, Withers and Yancy.

Mr. Benbury moved an amendment which was not adopted; Mr. Tomlinson an amendment which was not adopted; Mr. Gentry an amendment which was not adopted; Mr. Caldwell an amendment which was not adopted.

Mr. Bridgers moved to amend sec. 30 by striking out the word "half" in line 8, and substituting the word "third," inserting the words "or materials" between the word "parts" and the word "of" in the ninth line, and it was adopted, and the section so amended passed.

Sec. 39. Mr. Ward moved to amend by striking out all after the word "of" in line 6, and inserting "over one hundred dollars and under one thousand dollars, whether the same be payable annually, quarterly, monthly, or otherwise, there shall be levied an annual tax of one per cent., and on all sums of one thousand dollars and under two thousand dollars, a tax of two per cent., and on all sums of two thousand dollars and upwards, a tax of three per cent.;" and the question being put thereon, it was

Decided in the negative—Yeas .....	13
Nays .....	72

On motion of Mr. Ward,

The yeas and nays were ordered. The following voted in the affirmative, viz:

YEAS.—Messrs. Cansler, Dills, Jones, Lyon of Orange,

Mann, Reeves, Sharp, Speer, Toms, Ward, White of Cabarus, Whitson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cox of Perquimous, Crump, Dancy, Dargan, Davidson, Eborn, Eller, Elliott, Ferebee, Gaither, Gentry, Glass, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Houck, Holmes, Humphrey, Jenkins, Jennett, Johnston, Kelly, Leitch, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Granville, Mabry, Masten, Matthews, McIntosh, Meares, Montgomery, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Rand, Rankin, Rumley, Rushing, Sauls, Scales, Scott, Siler, Smallwood, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Waugh, White of Sampson and Withers.

And then the section passed.

Sec. 40. Mr. Outlaw moved that sec. 40 be stricken out, and the same was not adopted ; so the section passed.

Sections 41, 42, 43, 44, 65, 69, passed without amendment.

Sec. 73. Mr. Elliott moved to amend sec. 73 by striking out a part of the same, which was not adopted ; there being counted

In the affirmative ..... 21 votes.

In the negative ..... 47 “

Mr. Bullock then moved to strike out the last section, and it was not adopted ; the section then passed, and then the question recurred upon the passage of the bill the second reading ; and the question was put, and

Decided in the affirmative—Yeas ..... 53

Nays ..... 46

On motion of Mr. Crump,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Bethea, Bledsoe, Blow, Bridgers, Bright, Bullock, Cox of Jones, Dancy, Davidson, Elliott, Glass, Green, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville,

Mabry, Masten, Matthews, Montgomery, Mosely, Outerbridge, Parker, Patterson, Pitchford, Rankin, Routh, Rumley, Sauls, Scales, Smallwood, Southerland, Speer, Speight, Stewart, Strayhorn, Tate, Thompson, Ward, Waugh, White of Sampson and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Benbury, Blanton, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Crump, Dargan, Dills, Eborn, Eller, Ferebee, Gaither, Gentry, Hackney, Hester, Houck, Jennett, Leach, Leitch, Little, Love, Mann, March, Martin, McIntosh, Meares, Ogburn, Pearson, Pickett, Ramsour, Richardson, Rushing, Scott, Sharp, Siler, Stiles, Stubbs, Tomlinson, Toms, Waddill, Whitson, Wilson and Yancy.

Mr. Baxter paired off with Mr. Mason, and directed it to be entered on the Journal that if he had not paired off, he would have voted against the passage of the bill.

So the bill passed the second reading.

A message from the Senate, informing the House that the Senate branch of the committee on enrolled bills for the week were Messrs. Sanders, Cherry, Lane, A. J. Jones and Clark.

And the House adjourned.

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#### NIGHT SESSION, TUESDAY, 27TH JANUARY.

H. 346, to provide a special magistrate for the town of Bath, in Beaufort county; the rule being suspended, was then read the second and third times, and passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

Mr. Crump moved the rule be suspended, and the bill, S. 374 taken up and read, and it was not adopted.

On motion of Mr. Love,

The bill, H. 307, to establish a medical board, and for other purposes was taken from the table; and the same coming up in order, was, on motion of Mr. Lewis of Nash, postponed until the 17th of March.



Yeas ..... 61  
Nays ..... 22

On motion of Mr. Eborn,

The yeas and nays were ordered. The following voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Bethea, Blanton, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Crump, Davidson, Dills, Eller, Folk, Gaither, Gentry, Glass, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Humphrey, Jenkins, Johnston, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Masten, Montgomery, Moseley, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rankin, Richardson, Routh, Rumley, Rushing, Sauls, Scott, Settle, Sharp, Siler, Smallwood, Southerland, Speight, Sewart, Stiles, Strayhorn, Thompson, Tomlinson, Waugh, White of Sampson, Whitson and Withers.

And the following voted in the negative, viz :

NAYS.—Messrs. Badham, Bright, Cox of P., Eborn, Erwin, Ferebee, Houck, Leitch, Love, Mabry, Mann, Meares, Pearson, Pickett, Speer, Stubbs, Toms, Waddill, Ward, White of Cabarrus, White of Bladen and Yancy.

Mr. Holmes moved the bill (H. 8) to amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company be taken up, and it was not adopted.

H. 313, to charter the Salem and Germanton Railroad Company then being read, and the question put, Shall this bill pass the second reading? Mr. Folk moved to postpone the same until the 4th of March, and it was not agreed to, there being counted

In the affirmative—Yeas ..... 12  
Nays ..... 61

And then the bill passed the second reading, and was,

On motion of Mr. Southerland,

Laid upon the table.

H. R. 315, in favor of the United Baptist Institute, at Taylorsville, N. C.; and the amendment proposed by the committee being adopted, the same was, on motion of Mr. Stubbs, further amended, and then read and passed the second and

third readings, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Humphrey,

The rule being suspended, the House considered the bill (H. 8) on the third reading to amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, as the same was amended by Mr. Meares. The question being upon the amendment of Mr. Bethea, it was withdrawn; then the question recurred upon the passage of the bill the third reading; Mr. Holmes offered an amendment; and pending the question thereon, and at 9 o'clock and 50m., the House,

On motion of Mr. Outlaw,

Adjourned.

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WEDNESDAY, 28TH JANUARY, 1857.

Mr. Crump presented the memorial of A. M. Sullivan and others, of Rowan and other counties, in favor of the Wilmington and Rutherford Railroad Company. Filed with No. 8.

Mr. Humphrey, from the committee on claims, reported unfavorably H. 239, and from the committee on public grounds and buildings, reported various resolutions, and asked to be discharged from their further consideration, which was so ordered.

Mr. Scales, from the committee on finance, reported unfavorably H. 369.

On motion of Mr. Cotten,

No. 474 was made a special order for to-morrow night at half-past 7 o'clock.

On motion of Mr. Jenkins,

S. No. 515 was made a special order for to-morrow, at 11 o'clock.

And then the House resumed the unfinished business of yesterday, being H. 8, and the question was put upon the amendment of Mr. Holmes, and it was adopted; and then the question was put upon the amendment of Mr. Davidson,

and it was not adopted. Mr. Caldwell moved the following amendment: "That when said connection is made, it shall be deemed the western terminus of the road;" and the question was put thereon and

Decided in the negative—Yeas ..... 13  
 Nays ..... 92

On motion of Mr. Toms,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Bynum, Caldwell, Clarke, Ferebee, Hackney, Leach, Mabry, March, Martin, Rankin, Scott and White of Cabarrus.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Baxter, Benbury, Blanton, Bledsoe, Blow, Bridgers, Bright, Bullock, Cansler, Cotten, Cox of Jones, Crump, Dancy, Dargan, Davidson, Dills, Eborn, Eller, Elliott, Folk, Gaither, Gilliam, Glass, Green, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leitch, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mann, Masten, Matthews, McIntosh, Meares, Montgomery, Moore, Mosely, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scales, Settle, Sharp, Siler, Slaughter, Smallwood, Speer, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Bladen, Whitson, Williamson, Wilson, Withers and Yancy.

So the amendment was not adopted; and then the question was put upon the printed amendment No. 3, of Mr. Meares, and it was not adopted.

Yeas ..... 38

Nays ..... 47

Mr. White of Cabarrus moved an amendment, which was not adopted; Mr. Badham moved that all after the word "sold" be stricken out of section 5, and the amendment of Mr. Holmes inserted; Mr. Pearson moved to strike out the



whole section, and it was not adopted; and then the question being upon the amendment of Mr. Badham, it was adopted. And the question recurring: Shall this bill pass the third reading? it was

Decided in the affirmative—Yeas ..... 63  
 Nays ..... 41

On motion of Mr. Dargan,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Benbury, Bledsoe, Bridgers, Bynum, Cansler, Clarke, Cox of Perquimons, Crump, Dancy, Dargan, Davidson, Dills, Eller, Elliott, Folk, Gilliam, Glass, Hackney, Harrell, Hill of Halifax, Holmes, Humphrey, Jenkins, Johnston, Jones, Kelly, Leitch, Lewis of Wake, Little, Mabry, Mann, Matthews, Meares, Outlaw, Outerbridge, Pickett, Ramsour, Rankin, Richardson, Routh, Rushing, Scales, Settle, Sharp, Siler, Slaughter, Smallwood, Southerland, Speer, Stewart, Stiles, Strayhorn, Tate, Toms, Waddill, Ward, White of Cabarrus, White of Bladen, Whitson, Williamson and Wilson.

The following voted in the negative, viz:

NAYS.—Messrs. Barnes, Blow, Bright, Bullock, Caldwell, Cotten, Ferebee, Gaither, Green, Hargrove, Hester, Hill of Stokes, Honck, Jarvis, Jennett, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, March, Martin, Masten, Montgomery, Moore, Mosely, Parker, Patterson, Pearson, Pitchford, Reeves, Rumley, Sauls, Scott, Speight, Thompson, Tomlinson, Waugh, White of Sampson, Withers and Yancy.

So the bill passed the third reading; and then,

On motion of Mr. Badham,

The rule was suspended, the printed copy amended and examined by the clerk and sent to the Senate.

The Speaker announced that he had appointed Thomas Settle, jr., to preside over the House for four days, he intending to be absent for that period.

And the House resumed the consideration of

S. 496, to amend R. C., chapter 99, entitled Revenue.

Mr. Benbury offered an amendment to sec. 73, which was

not adopted; Mr. Leach amendments to sections 2 and 4, pending which the hour for adjournment arriving,  
The House adjourned.

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AFTERNOON SESSION, WEDNESDAY, 28TH JANUARY.

On motion of Mr. Humphrey,

The rule was suspended and the following bills were read the second and third times, passed, were ordered to be engrossed and sent to the Senate, viz :

S. 486, to charter the Male and Female Academy in Swansboro', Onslow county.

No. 324, to charter a public road in the county of Ashe.

No. 368, to amend charter of the town of Plymouth, county of Washington.

A message was received from the Senate, returning H. 56, concerning the common schools of North Carolina, with certain amendments. And the question being, Shall the House concur therein? it was decided in the affirmative; and the Senate ordered to be informed thereof.

Mr. Outlaw moved there be a call of the House, and the question thereon was put, and decided in the affirmative.

The clerk then proceeded to call the roll, and had called the same once through, marking the names of the absentees, as directed by the rule; when,

On motion of Mr. Outlaw,

Further proceedings under the call were suspended.

And then the House resumed the consideration of S. 469, and the question being upon the amendments of Mr. Leach to sections 2 and 4, Mr. Jenkins demanded a division of the question, and the motion to strike out was first put, and

Decided in the negative—Yeas .....	45
Nays .....	49

On motion of Mr. Leach,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Benbury, Blanton, Bynum, Cald-

well, Cansler, Clarke, Cotten, Cox of Perquimons, Dargan, Dills, Eborn, Eller, Ferebee, Folk, Gentry, Gilliam, Hackney, Hester, Houck, Jennett, Leach, Little, Mann, March, Martin, McIntosh, Ogburn, Pickett, Ramsour, Rankin, Reeves, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Stubbs, Tomlinson, Toms, Waddill, White of Cabarrus, Wilson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Bethea, Bledsoe, Blow, Bridgers, Bright, Bullock, Cox of Jones, Davidson, Elliott, Glass, Green, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jenkins, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Masten, Montgomery, Moore, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pitchford, Routh, Rumley, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Thompson, Waugh and Withers.

So the House refused to strike out, and this disposed of the amendment proposed. The question was then put upon the amendment of Mr. Leach to sec. 4. Mr. Jenkins again demanded a division of the question; and it was first put upon the motion to strike out, and

Decided in the negative—Yeas .....	50
Nays .....	55

On motion of Mr. Leach,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Benbury, Blanton, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Crump, Dargan, Dills, Eborn, Eller, Ferebee, Folk, Gaither, Gentry, Gilliam, Hackney, Hester, Houck, Jennett, Leach, Leitch, Little, Mann, Martin, McIntosh, Meares, Ogburn, Pearson, Pickett, Rankin, Richardson, Routh, Scott, Sharp, Siler, Slaughter, Speer, Stiles, Stubbs, Tomlinson, Toms, Waddill, White of Cabarrus, Whitson, Wilson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Bethea, Bledsoe, Blow, Bridgers, Bright, Bullock, Cox of Jones, Davidson, Elliott, Glass, Green, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Holmes,



Humphrey, Jarvis, Jenkins, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Masten, Montgomery, Moore, Mosely, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Reeves, Rumley, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn, Tate, Thompson, Ward, Waugh, Williamson and Withers.

So the House refused to strike out, and this disposed of the amendment.

Mr. Elliott moved an amendment as follows :

Strike out sections "2, 4, 19, 20," and insert "sec. 19. That after the first day of April, one thousand eight hundred and fifty-seven, no person upon any contract, shall directly or indirectly take for loan of any moneys, wares, merchandize, or commodities whatsoever, above the value of seven dollars by the way of discount, or interest for the forbearance of one hundred dollars for one year, and so after that rate for a greater or less sum, or for a longer or shorter time; and all bonds, contracts, and assurances whatever, for the payment of any principal or money to be lent, or covenanted to be performed, upon or for any usury whereupon or whereby there shall be reserved or taken above the rate of seven dollars on the hundred, as aforesaid, shall be void. And every person who upon any contract, shall take, accept and receive, by way of any corrupt bargain, loan or other means whatsoever, for the forbearing or giving day of payment, a rate of interest greater than hereinbefore specified, shall forfeit and lose for every such offence, the double value of the moneys, wares, merchandize and other things so lent, bargained or exchanged; the one moiety to the State, and the other to him who will sue for the same.

Upon every dollar more than seven dollars of net interest, not previously listed, whether received during the year next preceding the first day of April, or during that time accrued, or converted into principal, so as to become an interest bearing subject (whether demandable or not) on money owed by solvent debtors, wherever they may reside, a tax of five cents.

SEC. 20. Upon every dollar more than seven dollars of net dividend or profit not previously listed, actually due, or received during the year ending on the said first day of April, upon money invested in steam vessels of twenty tons burden and upward, or in stocks of any kind, or in shares of any incorporated or trading company, whether in or out of the State; and herein shall be included all bank dividends, bonds, certificates of debt of any other State or country, or of any public corporation created by this or any other State, a tax of five cents.

*Provided, however,* That the provisions of this section and section nineteen of this act, shall not take effect until after the first day of April, one thousand eight hundred and fifty seven; until which time, a tax of four cents shall be levied upon every dollar more than six dollars of net interest, dividend or profit, money invested in steam vessels of twenty tons burden and upwards, in stocks of any kind, in shares of any incorporated company, whether in or out of the State; and all bank dividends, bonds, and certificates of debt of any other State or country, or of any public corporation created by this or any other State, as provided for in sections 19 and 20, chapter 99, Revised Code, entitled Revenue.

Upon the capital stock of all banks in the State, except the bank of the State, a tax of one per cent."

Which being read, Mr. Outlaw rose to a point of order, which the chair decided as follows: "When the question under discussion is, Shall a bill to amend R. C., chapter 99, entitled Revenue, pass the third reading, it is irrelevant to offer an amendment to the R. C., chapter 114, entitled Usury. This amendment does propose such a change, and is, therefore, not in order." From this decision Mr. Elliott appealed, and the question being, Shall the decision of the chair stand as the judgment of the House? it was decided in the affirmative. Then the question recurred, Shall the bill pass the third reading?

Mr. Ward offered an an amendment, as follows, to be added at the end of section 20, page 2:

"And on all bank stock in any of the incorporated banks

of this State, a tax of three-fourths of one per cent. annually."

Mr. Outlaw moved to amend the amendment, by adding additional sections at the end thereof, as follows:

"*Be it enacted, etc.*, That whenever the dividends of any bank which the Legislature has a right to tax shall exceed six per cent. net, a tax of twenty per cent. shall be levied upon the excess, and shall by said bank be retained and paid into the public treasury.

*Be it further enacted*, That the amount which any such bank shall set apart as a surplus fund, shall not at any time exceed 'five per cent. of its capital stock.'"

And the question being first put thereon, it was adopted; and the question being put upon the amendment of Mr. Ward, as amended, it was adopted. And the question recurred.

Mr. Hackney moved the bill be amended as follows:

"The presidents and cashiers of the several banks in this State, except the Bank of the State of North-Carolina, shall annually pay three-fourths of one per cent. into the treasury of the State, on the stock owned by individuals or corporations in the said banks, on or before the first day of October in each and every year; *Provided*, The same does not reduce the annual profits of the owners thereof below six per cent., and in case any one or more of them shall refuse or neglect to pay the tax as herein required, he or they shall forfeit and pay double the amount of said tax, and the same shall be sued for and recovered in the superior court for Wake county, by the Attorney General, for and in behalf of the State."

And the question being put thereon, it was

Decided in the affirmative—Yeas ..... 94

Nays ..... 11

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bright, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dargan, Davidson, Dills, Eller, Elliot Ferebee, Folk, Gaither, Gentry,



Gilliam, Glass, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Houck, Holmes, Humphrey, Jennett, Johnston, Jones, Kelly, Leach, Leitch, Lewis of Wake, Lewis of Nash, Little, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, March, Martin, Masten, Matthews, McIntosh, Meares, Montgomery, Moore, Mosely, Ogburn, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Scott, Settle, Sharp, Slaughter, Smallwood, Southerland Speer, Speight, Stewart, Stiles, Strayhorn, Tate, Thomson, Tomlinson, Toms, Waddill, Ward, White of Sampson, White of Cabarrus, White of Bladen, Whitson, Williamson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Blow, Bridgers, Dancy, Jarvis, Jenkins, Long, Outlaw, Outerbridge, Parker, Sauls and Waugh.

Mr. Gilliam moved an amendment to section 39, as follows: Insert after the word "lawyers" in the second line and before the word "State," upon page 8, the words following: "And every surgeon dentist, non-resident of this State, ten dollars for each county in which he practices;" and the question being put thereon, it was adopted.

Mr. Mann offered the following amendment to the 24th section: Strike out all of the section down to the word "seller," in the ninth line, and insert as follows, viz :

"On every merchant selling merchandize, including spirituous liquors, wines or cordials, two-thirds of one per cent. On every other merchant selling any kind of merchandize, one-third of one per cent. On every merchant or other person selling ready-made clothing, whether for male or female, one per cent."

Mr. Jenkins demanded a division of the question, and it was accordingly first put on the motion to strike out, and

Decided in the negative—Yeas .....	25
Nays .....	74

On motion of Mr. Mann,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Benbury, Bullock, Crump, Dills, Gilliam,

Hargrove, Hester, Humphrey, Jones, Little, Lyon of Orange, Lyon of Granville, Mann, Meares, Outlaw, Pearson, Pickett, Reeves, Richardson, Rumley, Sharp, Slaughter, Waddill, Ward and Waugh.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Caldwell, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Dancy, Dargan, Davidson, Elliott, Ferebee, Folk, Gaither, Gentry, Glass, Green, Hackney, Harrell, Hill of Stokes, Hill of Halifax, Jarvis, Jenkins, Jennett, Johnston, Kelly, Leach, Lewis of Nash, Lewis of Wake, Long, Love, Mabry, Masten, Matthews, McIntosh, Montgomery, Moore, Mosely Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rankin, Routh, Rushing, Sauls, Scales, Scott, Settle, Smallwood, Southerland, Speer, Speight, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, White of Sampson, White of Cabarrus, Whitson, Williamson, Withers and Yancy.

So the House refused to strike out, and this disposed of the amendment. Mr. Reeves then moved a substitute for the same section, and the question being thereon, it was not adopted.

At 4 o'clock and 20m. Mr. Bridgers moved the afternoon session be extended to half-past 5 o'clock, and the question was put and

Decided in the affirmative—Yeas .....	89
Nays .....	9

On motion of Mr. Benbury,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Caldwell, Cox of Jones, Cox of Perquimons, Dancy, Dargan, Davidson, Dills, Eborn, Eller, Elliott, Ferebee, Folk, Gaither, Gentry, Gilliam, Glass, Green, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leitch, Lewis of Wake, Lewis of Nash, Little, Love, Lyon of Orange, Lyon of Granville,

Mabry, Masten, Matthews, McIntosh, Montgomery, Moore, Ogburn, Outlaw, Outerbridge, Parker, Pearson, Pickett, Pitchford, Ramsour, Rankin, Routh, Rumley, Rushing, Sauls, Scales, Settle, Slaughter, Smallwood, Southerland, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Waugh, White of Sampson, White of Cabarrus, Whitson, Williamson, Wilson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Baxter, Benbury, Long, Mann, Sharp and Ward.

So the House refused to adjourn, and then the question recurred, when

Mr. Davidson moved the following: "Upon all persons commonly known as brokers, who for the purpose of gain, shall be engaged in buying or selling bills of exchange, or the bills of any bank incorporated in this State, shall be levied a tax of three hundred dollars;" and the question was put thereon and decided in the affirmative.

Mr. Caldwell moved to strike out the last section of the amendments proposed by the Senate, viz: 114, and the question was put thereon and

Decided in the negative—Yeas .....	39
Nays .....	63

On motion of Mr. Cansler,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Bethea, Bledsoe, Bridgers, Bright, Bullock, Caldwell, Dancy, Dargan, Green, Hargrove, Hill of Stokes, Houck, Holmes, Jenkins, Kelly, Leach, Lewis of W., Long, Love, Lyon of Granville, Matthews, Montgomery, Ogburn, Outlaw, Patterson, Pitchford, Sauls, Scales, Scott, Settle, Sharp, Smallwood, Speight, Stubbs, Tate, Thompson, Ward, White of Sampson, White of Cabarrus and Williamson.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Benbury, Blanton, Blow, Bynum, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Davidson, Dills, Eller, Elliott, Ferebee, Folk, Gaither,



Gentry, Glass, Hackney, Harrell, Hester, Hill of Halifax, Humphrey, Jarvis, Jennett, Johnston, Jones, Leitch, Lewis of Nash, Little, Lyon of Orange, Mabry, Mann, March, Martin, Masten, McIntosh, Moore, Mosely, Outerbridge, Parker, Pickett, Ramsour, Rankin, Richardson, Routh, Rumley, Rushing, Siler, Southerland, Speer, Stewart, Strayhorn, Tomlinson, Toms, Waddill, Waugh, White of Bladen, Whitson, Withers and Yancy.

Mr. Rushing moved an amendment, which was adopted, as follows:

*“Be it further enacted,* That when any sheriff may be desirous of obtaining his allowance for insolvent poll tax, that instead of swearing to his list, as the law now directs, that the same may be submitted to the county court, a majority of the justices being present, who shall consider and examine said sheriff’s list, and make him such allowance as they may think just and proper.”

Mr. Outlaw moved the following as an additional section, namely:

“There shall be levied upon every marriage license a tax to the State of one dollar, to be paid to the clerk at the time of issuing said license, which shall be accounted for as other taxes in his hands now are.”

Mr. Caldwell moved to amend the same by adding as follows, “and that the clerk shall be allowed 5 per cent. for collecting and paying the same into the treasury.” And this amendment was adopted.

And then the question being upon the amendment of Mr. Outlaw, as thus amended, and a division demanded, it was adopted, there being counted,

In the affirmative . . . . . 65 votes.

In the negative . . . . . 21 “

Mr. Gilliam then moved to strike out the section 114, and Mr. Scales objecting, raised the point of order, whether the motion was competent. The Chair decided that “the same motion having just been decided in the negative, it was not now competent to repeat the motion, to strike out simply,

without a motion to insert being superadded." And so the motion to strike out sec. 114, was,

Ruled not in order; and no appeal being taken, the same passed as the judgment of the House.

Mr. Hill of Halifax moved "that the vote by which the House had just rejected the motion to strike out be re-considered," and the same being put, it was

Decided in the affirmative.

Mr. Gilliam then moved to strike out the said section and insert a substitute as follows, viz :

"On every through and way passenger over every railroad in this State, one eighth of one per cent. for every mile traveled; and on every ton of freight transported on every railroad in this State, one eighth of one per cent. per mile, to be paid semi-annually, by the presidents of the several railroads in this State, to the public Treasurer."

And the question being put thereon, it was adopted.

Mr. Caldwell moved to reconsider the vote by which this amendment had been adopted, and to strike the same out of the bill; and the question thereon was put, and

Decided in the negative—Yeas .....	35
Nays .....	68

On motion of Mr. Bullock,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Baxter, Bullock, Caldwell, Dargan, Eller, Hargrove, Hill of Stokes, Houck, Holmes, Jenkins, Leach, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Matthews, McIntosh, Montgomery, Ogburn, Outlaw, Patterson, Pearson, Scott, Settle, Sharp, Speight, Stubbs, Thompson, Waddill, Ward, Williamson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Benbury, Bethea, Blanton, Bledsoe, Blow, Bynum, Cansler, Clarke, Cotten, Cox of Jones, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Elliott, Ferebee, Folk, Gaither, Gentry, Gilliam, Glass, Green, Hackney, Harrell, Hester, Hill of Halifax, Humphrey, Jarvis, Jennett, Johnston, Jones, Kelly, Leitch, Lewis of Wake, Lewis of

Nash, Mann, March, Martin, Masten, Moore, Mosely, Outerbridge, Parker, Pickett, Pitchford, Ramsour, Rankin, Reeves, Routh, Rumley, Rushing, Sauls, Siler, Slaughter, Smallwood, Southerland, Speer, Stewart, Stiles, Strayhorn, Tate, Tomlinson, Toms, Waugh, White of Sampson, White of Bladen, Whitson and Withers.

Mr. Lewis of Nash moved to amend section 23, clause 6, as follows: "Strike out the word 'one,' in line 25, and insert the word 'two;' strike out the word 'thousand,' in the 26th line, and insert the word 'hundred;' strike out the words 'ten dollars and one-half of one per cent. additional tax on all sums over that amount,' in the 26th, 27th and 28th lines, and insert instead thereof the words following, viz: 'One-fourth of one per cent. on their gross receipts,'" and it was adopted.

Mr. Hill of Halifax moved that the afternoon session be extended to six o'clock, and it was

Decided in the affirmative—Yeas .....	71
Nays .....	28

On motion of Mr. Benbury,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Benbury, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Clarke, Cotten, Cox of J., Cox of Perquimons, Dancy, Dargan, Davidson, Dills, Eborn, Eller, Ferebee, Folk, Glass, Green, Hackney, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Houck, Jenkins, Johnston, Jones, Kelly, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mabry, Masten, Matthews, Montgomery, Moore, Mosely, Outerbridge, Parker, Patterson, Pearson, Pitchford, Ramsour, Rankin, Routh, Rumley, Rushing, Sauls, Scales, Scott, Settle, Southerland, Stewart, Strayhorn, Stubbs, Tate, Thompson, Toms, Ward, Waugh, White of Sampson, Wilson, Withers and Yancy.

And the following voted in the negative, viz:

NAYS.—Messrs. Badham, Baxter, Caldwell, Cansler, Crump, Elliott, Gaither, Gilliam, Hester, Humphrey, Leach, Lewis of Wake, Love, Mann, Martin, Meares, Ogburn, Outlaw, Pickett,



Reeves, Sharp, Slaughter, Speight, Stiles, Tomlinson, Waddill, White of Bladen, Whitson and Williamson.

Mr. Houck moved to reconsider the vote by which the afternoon session had just been extended to six o'clock, and the question was put and

Decided in the negative—Yeas ..... 48

Nays ..... 54

On motion of Mr. White of Bladen,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Benbury, Bethea, Bledsoe, Bynum, Cansler, Cotten, Cox of Perquimons, Crump, Dargan, Eborn, Eller, Elliott, Ferebee, Gentry, Gilliam, Green, Hester, Houck, Humphrey, Leach, Leitch, Lewis of Wake, Love, Mabry, Mann, March, Martin, Matthews, McIntosh, Meares, Ogburn, Outlaw, Pickett, Pitchford, Reeves, Routh, Rushing, Scales, Scott, Sharp, Siler, Slaughter, Tomlinson, Waddill, Waugh, White of Bladen, Whitson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Blanton, Blow, Bridgers, Bright, Bullock, Caldwell, Clarke, Cox of Jones, Lancy, Davidson, Dills, Folk, Gaither, Glass, Hackney, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Holmes, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Nash, Little, Lyon of Orange, Lyon of Granville, Masten, Montgomery, Moore, Outerbridge, Parker, Patterson, Pearson, Ramsour, Rankin, Rumley, Sauls, Settle, Smallwood, Southerland, Speer, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Toms, White of Sampson, Wilson and Withers.

Mr. Ward offered an amendment, which was not adopted; Mr. Pickett an amendment, which was not adopted; Mr. Strayhorn an amendment, which was not adopted.

Mr. Badham moved at 5 o'clock and 50 minutes the House adjourn; and the question was put thereon, and

Decided in the affirmative—Yeas ..... 67

Nays ..... 32

On motion of Mr. Blow,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Benbury, Bethea, Blanton, Bledsoe, Bynum, Cansler, Cotten, Cox of Perquimons, Crump, Dargan, Eller, Elliott, Ferebee, Gentry, Gilliam, Glass, Green, Hackney, Harrell, Hester, Houck, Holmes, Humphrey, Jenkins, Jennett, Jones, Leach, Leitch, Lewis of Wake, Little, Love, March, Masten, Matthews, McIntosh, Meares, Montgomery, Mosely, Outlaw, Outerbridge, Pitchford, Rankin, Reeves, Routh, Rumley, Rushing, Scales, Scott, Settle, Sharp, Siler, Slaughter, Smallwood, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Waddill, Ward, Waugh, White of Sampson, White of Bladen, Whitson, Wilson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Blow, Bridgers, Bright, Bullock, Clarke, Cox of Jones, Dancy, Davidson, Dills, Folk, Gaither, Hargrove, Hill of Stokes, Hill of Halifax, Johnston, Lewis of N., Long, Lyon of Orange, Lyon of Granville, Mann, Parker, Patterson, Pearson, Pickett, Ramsour, Sauls, Southerland, Speer, Speight, Stewart, Toms and Withers.

And so the House adjourned, the pending question being undisposed of.

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#### THURSDAY, 29<sup>TH</sup> JANUARY, 1857.

Mr. Hargrove, from the committee on propositions and grievances, reported a substitute for

H. 330, and unfavorably

H. 442, and

H. 415.

Mr. Hall presented the memorial of N. N. Fleming and others, concerning the charter of the town of Salisbury, in Rowan county.

A bill and joint resolution of the following titles were then introduced, read, passed the first reading, and filed for the second reading as follows viz :

By Mr. Ramsour: a bill (No. 517) to repeal the charter of the town of Shelby, in Cleveland.

By Mr. Stiles: a joint resolution (No. 518) in favor of D. E. Ramsour.

On motion of Mr. Holmes,

No. 437 was made a special order for to-morrow at 10 o'clock,

And the House resumed the consideration of S. 496, section 23, when Mr. Lyon of Orange offered an amendment, which was not adopted; Mr. Dancy the following amendment, to be added at the end of clause 11 of sec. 23: "Daguerreotypists, ambrotypists, photographists, portrait and miniature painters, ten dollars each in every county in which they may take likenesses," and it was adopted; Mr. Routh an amendment, which was not adopted; Mr. Dills an amendment, which was not adopted; Mr. Houck an amendment, which was not adopted.

Sec. 24. Mr. Mann offered the following amendment, to be inserted in the 15th line of the 24th section, after the word "him," viz: "where such goods belong to and are brought into the State by non-residents; but the provisions of this act shall not apply to our own merchants auctioneering off their own goods, at their usual place of business," and it was adopted.

Mr. McIntosh, an amendment which was adopted as follows:

"Sec. 115. *Be it further enacted,* That as soon as possible after the adjournment of this General Assembly, the Secretary of State be, and he is hereby authorized and required to have printed at the public expense, in pamphlet form, complete copies of the Revenue Act, including all the amendments adopted at this session, and furnish by mail or otherwise the several sheriffs and county court clerks in each county in this State with a copy of the same."

Sec. 50. Mr. Jenkins moved an amendment as follows, viz: in section 50 insert "July" for "April."

Sec. 23. Mr. Hill of Halifax moved an amendment, which was adopted as follow, viz: "strike out all after the word



“to” in the 25th line of section 23, to the word “provided” in the 28th line, and insert “three hundred dollars or more, shall pay a tax of one-fourth of one per cent.”

And the question recurred, Shall this bill pass the third reading? and it was put, and

Decided in the affirmative—Yeas ..... 73

Nays ..... 38

On motion of Mr. Pickett,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clarke, Cox of Jones, Cox of Perquimons, Dancy, Davidson, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mason, Masten, Matthews, Montgomery, Moore, Mosely, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rumley, Rushing, Sauls, Scales, Settle, Smallwood, Southerland, Speight, Stewart, Strayhorn Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, Williamson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Baxter, Caldwell, Cotten, Crump, Dargan, Eborn, Eller, Elliott, Ferebee, Folk, Gaither, Gentry, Gillingham, Houck, Jennett, Leach, Leitch, Little, Mann, March, Martin, McIntosh, Meares, Ogburn, Pearson, Pickett, Richardson, Scott, Sharp, Siler, Speer, Stiles, Stubbs, Waddill, White of Cabarrus, Whitson, Wilson and Yancy.

So the bill passed the third reading; and then,

On motion of Mr. Scales,

*Ordered*, That the rule be suspended, and the printed copy with the amendments adopted in this House, sent to the Senate.

The House proceeded to consider the special order, being H. 318, to complete the Atlantic and N. C. Railroad.

Mr. Sharp offered an amendment, which was adopted as follows, viz:

“ Before the word “bond” insert the word “coupon,” and after the word “State” insert the words “bearing interest at the rate of six per cent., to be paid semi-annually, running thirty years.”

And the question recurred, Shall the bill pass the third reading? and was put, and

Decided in the negative—Yeas .....	41
Nays .....	49

On motion of Mr. Toms,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Benbury, Bledsoe, Blow, Bright, Caldwell, Cox of Perquimons, Dancy, Eborn, Gaither, Gilliam, Glass, Green, Hall, Houck, Jenkins, Jones, Kelly, Long, Love, Lyon of Orange, Mabry, Moore, Ogburn, Outlaw, Patterson, Pearson, Routh, Sauls, Scales, Scott, Settle, Sharp, Speight, Strayhorn, Stubbs, Thompson, Ward, White of Cabarrus and Wilson.

And the following in the negative, viz:

NAYS.—Messrs. Bethea, Blanton, Bridgers, Bynum, Bullock, Cansler, Cotten, Davidson, Dills, Eller, Elliott, Ferebee, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Jarvis, Johnston, Leach, Leitch, Lewis of Nash, Little, Lyon of Granville, Mann, Martin, Mason, Masten, McIntosh, Meares, Outerbridge, Parker, Pickett, Pitchford, Rankin, Rushing, Slaughter, Smallwood, Southerland, Speer, Stewart, Tomlinson, Toms, Waddill, Waugh, Whitson, Withers and Yancy.

On motion, however, of Mr. Tomlinson,

The vote was reconsidered, and the question recurring, was again put, and

Decided in the affirmative—Yeas .....	55
Nays .....	46

On motion of Mr. Davidson,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Bledsoe, Blow, Bright, Bullock, Caldwell, Cox of Perquimons, Dancy, Eborn, Eller, Ferebee, Gaither, Gentry, Gilliam, Glass, Hall, Houck, Jarvis, Jenkins, Jennett, Jones, Kelly, Long, Love, Mabry, Martin, McIntosh, Montgomery, Moore, Ogburn, Outlaw, Patterson, Pearson, Rand, Routh, Sauls, Scales, Scott, Settle, Sharp, Siler, Slaughter, Smallwood, Southerland, Speight, Strayhorn, Stubbs, Thompson, Tomlinson, Waddill, Ward, White of Cabarrus, Williamson and Wilson.

And the following in the negative, viz:

NAYS.—Messrs. Bethea, Blanton, Bridgers, Bynum, Cansler, Clarke, Cotten, Davidson, Dills, Elliott, Green, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Johnston, Leach, Leitch, Lewis of Nash, Lyon of Orange, Lyon of Granville, Mann, March, Mason, Masten, Matthews, Meares, Mosely, Outerbridge, Parker, Pitchford, Rankin, Reeves, Richardson, Rushing, Speer, Stewart, Tate, Toms, Waugh, White of Sampson, Whitson, Withers and Yancy.

So the bill passed the third reading, and

On motion of Mr. Blow,

The rule was suspended, and the bill and amendment ordered to be engrossed forthwith and sent to the Senate.

And then the House proceeded with the special order, it being 11 o'clock, viz:

S. 515, to amend charter of the Western N. C. Railroad Company, and Mr. Routh moved to amend as follows:

“Strike out in the second section the words ‘within two miles of’ and insert the word ‘by,’ and strike out ‘or said board may locate a branch of said road extending from the main line to said town, said branch not to exceed three miles in length,’ and insert ‘that in the event the said road shall not be located and constructed by the said town of Newton, then, and in that event, the citizens of the county of Catawba shall be, and they are hereby released from the payment of their subscriptions for stock in said company.’”

At 1 o'clock and 27m., Mr. Jenkins moved the House adjourn.



Mr. Meares moved the yeas and nays be ordered, and then the motion was withdrawn.

The question was then put upon the amendment of Mr. Routh, and the yeas and nays being ordered, the clerk proceeded to call the roll, and had called "Mr. Badham!" when the hour for the adjournment arrived, and

The House adjourned.

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AFTERNOON SESSION, THURSDAY, 29TH JANUARY.

On motion of Mr. Outerbridge,

H. 491, to amend R. C., concerning trading with slaves, was taken up, pending which Mr. Bledsce moved that (S. 439) the bill to amend charter of the bank of the State, be made the special order for to-morrow, after (II. 437) the bill concerning the bank of Cape Fear; and it was so ordered.

Mr. Houck moved that (S. 352) the bill concerning the N. C. Railroad Coupon Bonds, be made the special order for this night, at 8 o'clock; and it was so ordered.

And the House proceeded with the consideration of II. 491.

Mr. Gilliam moved the bill be laid upon the table, and the question was put; no quorum voting, Mr. Outlaw moved there be a call of the House, and the clerk proceeded to call the roll, and had called two names, when,

On motion of Mr. Outlaw,

Further proceedings under the call were dispensed with, and the question was again put and decided in the negative, there being counted,

In the affirmative ..... 34 votes,

In the negative ..... 37 "

So the House refused to lay the question upon the table.

Mr. Outerbridge then moved the bill be so amended as to confine its operation to Martin, Wake, Caswell, Rowan, Wayne, Currituck and Lincoln. And so amended the bill passed the second reading, and then, the rule being suspended, passed the third reading, and was ordered to be engrossed and sent to the Senate, there being counted,

In the affirmative ..... 39 votes,  
 In the negative ..... 30 “

Bills and joint resolutions of the following titles were introduced, read the first time, passed, and were disposed of as follows, viz :

From the Senate : an engrossed bill (No. 519) concerning the bank of Cape Fear.

From the Senate : an engrossed bill (No. 520) concerning the Albemarle and Chesapeake Canal.

From the Senate : an engrossed bill (No. 521) to charter the Hyde county Steamboat Joint Stock Company.

From the Senate : an engrossed bill (No. 522) to provide for the distribution of the proceeds of the literary fund. And this bill, the rule being suspended, also passed the second and third readings, and was

*Ordered*, To be enrolled.

From the Senate : a bill (No. 523) to ascertain the federal population of Ashe county.

From the Senate : a joint resolution (No. 524) concerning the investment of the literary fund.

By Mr. Baxter : a joint resolution (No. 525) in favor of the principal clerks of the two Houses. And this resolution, under a suspension of the rules, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

And then the House resumed the consideration of (S. 515) the unfinished business of the morning session ; the question pending on the amendment of Mr. Routh, and the question was put and

Decided in the negative—Yeas ..... 34  
 Nays ..... 64

On motion of Mr. Routh,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Bethea, Blanton, Cotten, Davidson, Elliott, Folk, Hackney, Leitch, Little, Mann, March, Masten, Matthews, Meares, Outerbridge, Parker, Pickett, Ramsour, Rankin, Reeves, Richardson, Routh, Rushing, Speer, Stewart,

Tomlinson, Toms, Waddill, Ward, Waugh, White of Bladen, Williamson and Withers.

And the following voted in the negative, viz :

NAYS.—Messrs. Badham, Baxter, Bledsoe, Blow, Bridgers, Bullock, Caldwell, Clarke, Cox of Perquimons, Dancy, Dargan, Eborn, Eller, Ferebee, Gaither, Gilliam, Glass, Green, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Houck, Humphrey, Jarvis, Jenkins, Johnston, Jones, Leach, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Martin, Mason, McIntosh, Montgomery, Moore, Moseley, Ogburn, Outlaw, Patterson, Pearson, Pitchford, Rand, Rumley, Sauls, Scales, Scott, Settle, Sharp, Siler, Slaughter, Smallwood, Speight, Strayhorn, Stubbs, Tate, Thompson, White of Cabarrus, Whitson, Wilson and Yaucy.

So the amendment was not adopted; and the question recurred and was put, and decided in the affirmative.

Mr. Badham moved the rule be suspended and the bill read the third time, and it was

Decided in the affirmative—Yeas .....	88
Nays .....	12

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Bethea, Bledsoe, Blow, Bridgers, Bynum, Bullock, Caldwell, Cotten, Cox of Perquimons, Crump, Dancy, Dargan, Davidson, Dills, Eborn, Eller, Elliott, Ferebee, Gaither, Gilliam, Glass, Green, Hall, Harrell, Hill of S., Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leach, Lewis of Nash, Little, Long, Love, Lyon of Orange, Mabry, Mann, Martin, Masten, McIntosh, Meares, Montgomery, Moore, Mosely, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Rand, Rankin, Reeves, Richardson, Rumley, Rushing, Sauls, Scales, Scott, Settle, Sharp, Siler, Slaughter, Smallwood, Speer, Speight, Stewart, Stiles, Strayhorn, Tate, Thompson, Tomlinson, Waddill, White of Cabarrus, Whitson, Williamson, Wilson, Withers and Yaucy.

The following voted in the negative, viz :



NAYS.—Messrs. Blanton, Folk, Hackney, Hargrove, Hester, Leitch, Lyon of Granville, Ramsour, Routh, Toms, Ward and Waugh.

So the rule was suspended, and the bill read the third time, and the question put, when Mr. Baxter offered an amendment as follows:

“SEC. 1. *Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same,* That an act, entitled “An Act to incorporate the Western North-Carolina Railroad Company,” passed by the General Assembly, at the session of 1854-'55, be, and the same is hereby so altered and amended, as to authorize and empower the board of directors of said company, so soon as the amendments, proposed by this act, shall be accepted by the individual stockholders of said company, to open books for subscription of stock, by individuals, to the capital stock of said company, to the amount of *three* hundred thousand dollars, and upon said subscription being made, and five per cent. thereon being paid by solvent persons or counties, a subscription of double the amount so subscribed by individuals, shall be made on behalf of the State, to the capital stock of said company, in the manner, and by the persons, and upon certificate of such estimated cost, or individual subscription being made, as directed by the charter of said company; and the payments of the instalments due from the State on said subscription, shall be made in the manner, and upon the terms now prescribed in said charter.

SEC. 2. *Be it further enacted,* That the stock subscribed under and by virtue of the 1st section of this act, shall be added to the stock already subscribed to the capital stock of said company; and the aggregate of stock thus made shall be expended in constructing, equipping and putting in full operation the first section or division of said road, in the same manner as if the additional subscription now authorized, had been authorized by the charter of said company, when originally granted.

SEC. 3. *Be it further enacted,* That said company shall be empowered and required to survey and locate the second di-

vision of said road, extending from the western terminus of the first section, to the eastern terminus of the mountain division as hereinafter described, and shall cause an estimate of the cost of the same to be made by their engineer; and as soon as the subscription shall be made by the State to the capital stock of said company, as authorized and directed by the 1st section of this act, the board of directors aforesaid shall be authorized and empowered to open books for the subscription of stock to the capital stock of said company, to the amount of one-third of the estimated cost of said second division of said road; and upon said subscription being made, and five per cent thereon being paid by solvent persons, a subscription of two-thirds of said estimated cost of said second division shall be made on behalf of the State to the capital stock of said company, in the manner, and by the persons, and on certificate being made of such estimated cost as prescribed by the charter of said company; and the payment due from the State on said subscription shall be made in the manner and upon the terms now prescribed in said charter.

SEC. 4. *Be it further enacted,* That said company shall be authorized and required to survey and locate the fourth division of said road, extending from the western terminus of said mountain division as hereinafter described, west of the Swannanoa gap to the point on the French Broad river, which may be determined upon and fixed by said company as the extreme western terminus of the entire line of said road, and shall cause an estimate of the cost thereof to be made by their engineers. And as soon as the State shall have subscribed stock to the amount of the estimated cost of constructing the said third or mountain division, as hereinafter provided, said board of directors shall be authorized and empowered to open books for subscription of stock to the capital stock of said company to the amount of one-third of the estimated cost of said fourth division of said road; and upon said subscription being made, and five per cent. thereon being paid by solvent persons, a subscription of two-thirds the estimated cost of said fourth division, shall be made on behalf of the State, to the capital stock of said company, said subscription

to be made as provided in the preceding sections of this act for like subscriptions on the part of the State, and payments of one-fourth thereof be made when the individual subscribers pay in cash, or in work and labor, their respective fourths of their subscriptions, until the whole be paid as provided in the preceding sections of this act.

SEC. 5. *Be it further enacted*, That said company shall survey and locate the third division, to be known and designated as the "Mountain Division," extending from the western mouth or outlet of the tunnel through the Blue Ridge at the Swannanoa Gap, to such point east of the Blue Ridge, as the said company shall determine upon, and designate as the eastern terminus of the "Mountain Division" of said road; which said third or mountain division, shall not exceed ten miles in length of line; and shall cause an estimate of the cost of the same to be made by their engineer; and upon the amount of the estimated cost of said "Mountain Division" being certified to the board of internal improvements, by said board of directors, under the hand of the president and seal of the company, the said board of internal improvements shall be, and they are hereby authorized and required to direct the Treasurer of the State, to subscribe on behalf of the State, to the capital stock, the whole amount of said estimate cost to be used and appropriated exclusively to the construction of said "Mountain Division:" *Provided*, That the whole amount subscribed by the State towards the construction of the "Mountain Division," shall not exceed one million two hundred thousand dollars: *Provided further*, That the whole subscription on the part of the State, to the capital stock of said company, shall not exceed four millions of dollars, which is the sum already prospectively appropriated towards building said road; and the certificate of the board of directors, herein required to be made to the board of internal improvements, touching the estimated cost of the "Mountain Division," shall also include the estimated cost of all the other divisions of said road.

SEC. 6. *Be it further enacted*, That whenever it shall be made to appear to the board of internal improvements, by



the certificate under the seal of said company, signed by the president, and countersigned by the secretary, that the five per cent. has been paid by private persons, or counties, on the stock subscribed by them, for building the second division of said road, and the State shall have subscribed her two-thirds of the estimated cost of said second division, the board of internal improvements shall direct the Treasurer of the State, to pay into the treasury of said company, the one-half of the subscription made by the State, towards the construction of the third, or "Mountain Division" of said road, as provided for in the 5th section of this act; and whenever it shall appear to said board of internal improvements, by like certificate under the seal of said company, that twenty-five per cent. of the stock subscribed by private persons, or counties, towards the construction of said second division of said road, has been paid into the treasury of said company, either in cash or labor, the board of internal improvements shall direct the Treasurer of the State, to pay into the treasury of said company, the remaining half of the amount subscribed by the State towards the construction of the third or "Mountain Division;" and the Treasurer is hereby authorized to raise the money necessary to pay said subscription, and all other subscriptions to the capital stock of said company, by issuing and selling bonds of the State, as directed by the charter of said company, with like provision, that said bonds shall not be sold below par.

SEC. 7. *Be it further enacted*, That in order to refund to the State the amount advanced by her over and beyond the two-thirds of the cost of constructing the third or "Mountain Division," said company shall pay, annually, to the Treasurer of the State, forty cents per ton for all freight, and fifty cents for each passenger passing over the "Mountain Division" of said road, until said payments amount to one-third the cost of said division of said road; and said company are required to append to their annual report, made by the board of directors to the Governor of the State, a statement, under the seal of the company, showing the quantity of freight by the ton, and the number of passengers that passed over said

Mountain Division during the fiscal year, for which said report is made.

SEC. 8. *Be it further enacted*, That if, in the opinion of the board of internal improvements, the construction of said road would be advanced, and the interest of the State would not suffer thereby, the said board of internal improvements may order the Treasurer of the State, to pay on the stock subscribed on behalf of the State, towards building any one of said divisions of said railroad, less than one-fourth thereof, whenever it may be certified that individuals have paid on their stock one-half the sum demanded from the State by said company: *Provided*, That the State shall not be called upon to advance, at any one time, a smaller sum than fifty thousand dollars.

SEC. 9. *Be it further enacted*, That said board of directors may open books for subscription of stock towards the construction of said fourth division of said road, at an earlier period than the time when the State is required to subscribe for constructing the third or Mountain Division of said road, in the event that said board of directors should be of the opinion that such connections by railway were about being formed between Asheville, or the French Broad river near Asheville, and the railroads in the State of Tennessee, as to insure the transportation by means of railroads and steamboats from the Atlantic ocean to the western terminus of said fourth division, by the time that said fourth division would be graded, all the iron for laying the track and other equipages necessary for putting said division of said road in full operation.

SEC. 10. *Be it further enacted* That said board of directors shall open books for subscription of stock as authorized in the preceding sections, at such places and under the superintendence of such commissioners as they may designate and appoint, in the manner prescribed by the charter.

SEC. 11. *Be it further enacted*, That so soon as the foregoing amendments shall be accepted by the private stockholders of said company in a general meeting held by them to consider the same, all such clauses of the charter of said com-

pany and no more as are in conflict with this act are hereby repealed and declared null and void.

SEC. 12. *Be it further enacted*, That if the said company shall accept the foregoing amendments to their charter, said acceptance shall be certified to the board of internal improvements under the seal of the company, signed by the president and countersigned by the secretary.

SEC. 13. *Be it further enacted*, That a general meeting of the stockholders of the said company may be held to consider the foregoing amendments immediately after the ratification of this act, and the same shall be in force from and after its acceptance by the private stockholders in general meeting assembled"—it being the Senate bill to amend the charter of the Western North-Carolina Railroad Company, introduced by Mr. Wilder of that body, with an amendment of the section 1; and this amendment being read, the question thereon was put, and (the time of the afternoon session being extended, on motion of Mr. Jenkins) it was

Decided in the negative—Yeas .....	41
Nays .....	66

On motion of Mr. Baxter,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Baxter, Bethea, Blow, Caldwell, Clarke, Crump, Dills, Eller, Elliott, Folk, Gaither, Gilliam, Glass, Hall, Houck, Kelly, Leach, Love, Mabry, March, Martin, McIntosh, Meares, Mosely, Ogburn, Outlaw, Pearson, Reeves, Richardson, Runley, Scott, Sharp, Siler, Speer, Stiles, Strayhorn, White of Sampson, White of Cabarrus, Whitson, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Blanton, Bledsoe, Bridgers, Bright, Bynum, Bullock, Cansler, Cotten, Cox of Perquimons, Dancy, Dargan, Davidson, Eborn, Ferebee, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Leitch, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, Mann, Mason, Masten, Matthews,



Montgomery, Moore, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rand, Rankin, Routh, Rushing, Sauls, Scales, Settle, Smallwood, Speight, Stewart, Stubbs, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, Williamson and Withers.

And the question recurring, Shall this bill pass the third reading? it was put, and

Decided in the affirmative—Yeas ..... 51

Nays ..... 49

On motion of Mr. Outerbridge,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Bledsoe, Blow, Bullock, Clarke, Cox of Perquimons, Dancy, Dills, Eller, Elliott, Ferabee, Gilliam, Glass, Green, Hall, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jenkins, Johnston, Jones, Kelly, Love, Lyon of Orange, Martin, Matthews, McIntosh, Meares, Montgomery, Outlaw, Patterson, Pearson, Pitchford, Rand, Reeves, Routh, Rumley, Scales, Scott, Settle, Slaughter, Speer, Speight, Stewart, Strayhorn, Tate, Ward and White of Cabarrus.

And the following in the negative, viz:

NAYS.—Messrs. Blanton, Bridgers, Bynum, Caldwell, Cansler, Cotten, Crump, Dargan, Davidson, Eborn, Folk, Hackney, Hargrove, Harrell, Hester, Jarvis, Jennett, Leach, Leitch, Lewis of Nash, Little, Long, Lyon of Granville, Mabry, Mann, Mason, Masten, Moore, Mosely, Ogburn, Outerbridge, Parker, Ramsour, Rankin, Rushing, Sauls, Sharp, Smallwood, Stubbs, Thompson, Tomlinson, Toms, Waddill, Waugh, White of Sampson, Whitson, Williamson, Withers and Yancy.

Mr. Pickett paired off with Mr. Southerland.

So the bill passed the third reading, and was

*Ordered*, To be enrolled.

## NIGHT SESSION, THURSDAY, 29TH JANUARY.

On motion of Mr. Baxter,

The rule being suspended, the following bills and joint resolutions were read, passed the first reading, and then the second and third readings respectively, and were ordered to be engrossed and sent to the Senate, viz:

S. 357, to charter the Warrenton Female College.

S. 520, concerning Albemarle and Chesapeake Canal, was made a special order for to-morrow at 3½ o'clock.

H. 380, to alter the court sessions in Davie and Alexander.

H. 345, to alter the time of court in Davie.

H. R. 106, in favor of Samuel Williams & Son.

By a message from the Senate the House was informed of the passage in that body of

H. 377, concerning the superior courts of Robeson, with amendments, in which they asked the concurrence of the House, and the question being thereon, they were concurred in.

And the House proceed to the consideration of the special order, being

S. 474, to charter the Cheraw and Coalfield Railroad; the question being, Shall this bill pass the second reading?

Mr. Parker offered an amendment, which was not adopted; Mr. Pickett an amendment, which was not adopted; Mr. Green an amendment, which was not adopted; Mr. Caldwell an amendment, which was not adopted; Mr. Benbury an amendment, which was not adopted; Mr. Holmes offered an amendment as follows: "Strike out of the bill the words '30 cents on every ton of coal,' and insert '40 cents upon each ton;'" and the question was first put upon the motion to strike out, and it was

Decided in the negative—Yeas .....	35
Nays .....	64

On motion of Mr. Holmes,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Bledsoe, Bridgers, Bright, Dancy, David.

son, Eborn, Elliott, Gaither, Green, Hargrove, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Jones, Kelly, Leitch, Lewis of Nash, Lyon of Orange, Lyon of Granville, Masten, Moore, Parker, Pitchford, Rumley, Sauls, Speight, Strayhorn, Tate, Thompson, Tomlinson, Waugh and White of Sampson.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Baxter, Benbury, Bethea, Blanton, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Crump, Dargan, Dills, Eller, Ferebee, Folk, Gentry, Glass, Hackney, Hall, Harrell, Hester, Hill of Stokes, Houck, Jennett, Leach, Little, Long, Love, Mabry, Mann, March, Martin, Mason, Matthews, McIntosh, Montgomery, Ogburn, Patterson, Pearson, Ramsour, Rand, Rankin, Richardson, Routh, Scott, Settle, Siler, Smallwood, Speer, Stewart, Stiles, Stubbs, Toms, Waddil, White of Cabarrus, Whitson, Williamson, Wilson, Withers and Yancy.

So the House refused to strike out the words "30 cents," and the question recurred, when Mr. Bridgers moved to amend the bill by striking out "one hundred and ninety years" in the 20th section and inserting "ninety-nine," and this amendment was adopted.

Mr. Outlaw moved an amendment as follows, viz: "Provided, that nothing herein contained shall be so construed as to prevent any future Legislature from imposing an additional tax on freight and passengers;" which amendment,

Mr. Baxter moved to amend as follows, viz: "Provided, that any tax hereafter levied shall not be greater than that imposed on freight and passengers, passing over other roads in this State;" and the question being on this amendment to the amendment, it was adopted, there being counted

In the affirmative—Yeas ..... 43

Nays ..... 41

And then the question being upon the amendment of Mr. Outlaw, as thus amended, it was decided in the affirmative; and then the question recurred, Shall this bill pass the second reading? and it was decided in the affirmative.



Mr. Baxter moved the rule be suspended, and the bill put upon the third reading, and it was

Decided in the affirmative—Yeas .....	67
Nays .....	23

The bill was then read the third time. Mr. Outlaw moved to strike out the proviso, adopted on motion of Mr. Baxter, and it was

Decided in the affirmative—Yeas .....	57
Nays .....	45

On motion of Mr. Outlaw,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Blanton, Bledsoe, Bridgers, Bright, Cansler, Dancy, Davidson, Dills, Ferebee, Gaither, Green, Hall, Hargrove, Hester, Hill of Halifax, Houck, Holmes, Jarvis, Jenkins, Johnston, Jones, Kelly, Leitch, Lewis of Nash, Lyon of Orange, Lyon of Granville, Mann, Masten, Montgomery, Moore, Mosely, Outlaw, Parker, Patterson, Pickett, Pitchford, Rand, Rumley, Rushing, Sauls, Siler, Slaughter, Smallwood, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Ward, Waugh, White of Sampson, Williamson, Wilson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Baxter, Benbury, Bethea, Bynum, Bullock, Caldwell, Clarke, Cotten, Cox of Perquimons, Crump, Dargan, Eller, Elliott, Folk, Gentry, Glass, Hackney, Harrell, Jennett, Leach, Little, Long, Love, Mabry, March, Martin, Mason, Matthews, McIntosh, Ogburn, Pearson, Reeves, Richardson, Routh, Scales, Scott, Settle, Sharp, Speer, Stiles, Toms, Waddill, White of Cabarrus, Whitson and Yancy.

Mr. Humphrey (opposed to the bill) paired off with Mr. Cox of Jones.

Mr. Caldwell then moved to strike out the whole amendment, which had been offered and afterwards adopted on motion of Mr. Outlaw; and the question being thereon, it was put, and

Decided in the negative—Yeas .....	31
Nays .....	66

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Baxter, Bethea, Bullock, Cansler, Clarke, Cotten, Crump, Dargan, Eller, Gentry, Gilliam, Glass, Hackney, Harrell, Leach, Mabry, Mann, Martin, Mason, Matthews, Pearson, Reeves, Richardson, Routh, Scott, Settle, Sharp, Speer, Toms, Waddill, White of Cabarrus and Whitson.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Benbury, Bledsoe, Bridgers, Bright, Bynum, Cox of Perquimons, Dancy, Davidson, Dills, Elliott, Ferebee, Folk, Gaither, Green, Hall, Hargrove, Hester, Hill of Stokes, Houck, Holmes, Jarvis, Jenkins, Johnston, Jones, Leitch, Little, Love, Lyon of Orange, Lyon of Granville, Masten, McIntosh, Meares, Montgomery, Moore, Mosely, Outlaw, Parker, Patterson, Pickett, Pitchford, Ramsour, Rand, Rankin, Rumley, Rushing, Sauls, Siler, Slaughter, Smallwood, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Ward, Waugh, White of Sampson, Williamson, Wilson, Withers and Yancy.

At 10 o'clock and 10m., Mr. Dancy moved the House adjourn, and the question thereon was put, and

Decided in the negative—Yeas .....	47
Nays .....	52

On motion of Mr. Jenkins,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Blanton, Bright, Caldwell, Cotten, Crump, Dargan, Eller, Elliott, Gentry, Harrell, Hester, Hill of Stokes, Houck, Holmes, Jarvis, Jenkins, Jennett, Leach, Leitch, Mann, Masten, Moore, Mosely, Ogburn, Outlaw, Pickett, Pitchford, Rand, Reeves, Rumley, Scott, Sharp, Slaughter, Stiles, Tate, Thompson, Waugh, White of Sampson, White of Cabarrus, Whitson, Wilson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Bledsoe, Bridgers, Bynum, Bullock, Cans-

ler, Clarke, Cox of Perquimons, Davidson, Dills, Ferebee, Folk, Gaither, Glass, Green, Hackney, Hall, Hargrove, Hill of Halifax, Johnston, Jones, Little, Lyon of Orange, Lyon of Granville, Mabry, Martin, Mason, Matthews, McIntosh, Meares, Montgomery, Parker, Patterson, Pearson, Ramsour, Rankin, Richardson, Routh, Rushing, Sauls, Scales, Settle, Siler, Smallwood, Speer, Speight, Stewart, Strayhorn, Stubbs, Tomlinson, Toms, Waddill and Ward.

Mr. Hill of Halifax gave notice that he would on to-morrow introduce a resolution concerning the sessions of the House; and the question recurring, Shall this bill pass the third reading? Mr. Meares moved the question be laid upon the table, and it was decided in the negative.

Mr. Meares moved the House do now adjourn, and the question was put and

Decided in the affirmative—Yeas .....	56
Nays .....	35

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Baxter, Benbury, Bethea, Bledsoe, Bridgers, Bright, Bullock, Caldwell, Cansler, Clarke, Cotten, Dargan, Eller, Elliott, Ferebee, Glass, Hackney, Harrell, Hester, Hill of Stokes, Houck, Holmes, Jarvis, Jenkins, Leach, Leitch, Mabry, Mann, Masten, Matthews, Meares, Moore, Ogburn, Outlaw, Patterson, Pickett, Pitchford, Reeves, Richardson, Rumley, Sauls, Scott, Settle, Sharp, Slaughter, Stiles, Stubbs, Tate, Thompson, Tomlinson, White of Sampson, White of Cabarrus, Whitson, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Bynum, Cox of Jones, Cox of Perquimons, Davidson, Dills, Folk, Gaither, Green, Hall, Hargrove, Hill of Halifax, Johnston, Jones, Little, Long, Lyon of Orange, Lyon of Granville, Martin, Mason, McIntosh, Montgomery, Parker, Pearson, Ramsour, Rankin, Routh, Rushing, Siler, Smallwood, Speer, Speight, Stewart, Strayhorn, Toms, Waddill, Ward and Withers.

And so the House, at 10 o'clock and 20m., adjourned.



FRIDAY, 30TH JANUARY, 1857.

Bills and joint resolutions of the following titles were introduced, read, passed the first reading, and were filed for the second reading or otherwise disposed of as follows, viz :

By Mr. Ferebee: a joint resolution (No. 524) concerning a statue of Washington. Read three times, passed and  
*Ordered*, To be engrossed and sent to the Senate.

By Mr. Jenkins: a joint resolution (No. 527) concerning the engrossing clerks. Read three times, passed.

*Ordered*, To be engrossed and sent to the Senate.

By Mr. Elliott: a bill (No. 528) concerning interest and revenue.

By Mr. Stiles: a joint resolution (No. 529) to authorise D. F. Ramsour to build mills.

By Mr. Rushing: a joint resolution (No. 530) concerning Bladen county taxes.

And the following from the Senate, viz :

No. 531, an engrossed bill concerning the duties of the Public Treasurer. Read three times and ordered to be enrolled.

No. 532, a joint resolution in favor of Henry D. Turner.

No. 533, a bill to amend the charter of the Greenville and French Broad Railroad Company.

No. 534, a bill concerning Joshua Small and his wife Polly and others.

No. 535, a joint resolution in favor of Alexander Wiseman.

No. 536, a joint resolution in favor of Jesse H. Dickson.

By Mr. Jenkins: a joint resolution (No. 537) concerning engrossed bills. Read three times.

*Ordered*, To be engrossed and sent to the Senate.

Mr. Hargrove, from the committee on propositions and grievances, reported favorably the resolution (S. R. 360) in favor of John M. Morehead and W. H. Arendell.

On motion of Mr. Montgomery,

The rule was suspended, and the resolution read the second time, and,

On motion of Mr. Davidson,

Postponed until the 4th day of March next, and made a special order for that occasion.

On motion of Mr. Humphrey,

H. R. 413, in favor of certain schools in Duplin county, was considered and laid on the table.

And the House resumed

S. 474, to charter the Cheraw and Coalfield Railroad Company.

Mr. Outlaw offered an amendment as follows, viz:

“Provided, further, that no tax shall be imposed upon said railroad, other than that imposed by the charter, greater than that imposed upon the other railroads in North-Carolina, which shall reduce the nett profits of said railroad below six per cent. per annum;” and it was adopted.

Mr. Bridgers offered the following amendment, which was adopted, viz: “In section 20 strike out ‘190’ and insert ‘99.’” And the question recurred, Shall this bill pass the third reading? and was put, and

Decided in the affirmative—Yeas .....	77
Nays .....	29

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Benbury, Bethea, Blanton, Bledsoe, Bynum, Bullock, Caldwell, Cansler, Clarke, Cotten, Cox of Perquimons, Crump, Dargan, Davidson, Dills, Eller, Erwin, Ferebee, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Green, Hackney, Hall, Harrell, Hester, Hill of Stokes, Houck, Jenkins, Jennett, Kelly, Lewis of Wake, Long, Love, Mabry, Mann, March, Martin, Mason, Masten, Matthews, McIntosh, Montgomery, Ogburn, Outlaw, Outerbridge, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Scales, Scott, Settle, Slaughter, Smallwood, Speer, Stewart, Stiles, Stubbs, Toms, Waddill, White of Cabarrus, Whitson, Williamson, Wilson, Withers and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Bridgers, Bright, Dancy, Eborn,

Elliott, Hargrove, Hill of Halifax, Holmes, Humphrey, Jarvis, Johnston, Jones, Leitch, Little, Lyon of Orange, Meares, Moore, Mosely, Parker, Pickett, Rumley, Sauls, Strayhorn, Tate, Thompson, Tomlinson, Ward and White of Sampson.

So this bill passed the third reading and was ordered to be enrolled.

Mr. Cotten offered the following, viz :

“*Resolved*, That a message be sent to the Senate proposing to rescind the resolution, by which both Houses agreed to adjourn, *sine die*, on Monday next.”

On motion of Mr. Outlaw,

The same was laid upon the table, there being counted

In the affirmative ..... 51 votes.

In the negative ..... 32 “

On motion of Mr. Crump,

The rule was suspended, and the bill (S. 474) sent, with the amendments passed in this House, to the Senate ; whereupon,

Mr. Meares moved that the vote be reconsidered, but it being 11 o'clock, A. M., and the hour assigned to a special order, the chair decided the motion out of order. From this decision Mr. Outlaw appealed; and the question being, Shall the decision of the chair stand as the judgment of the House? it was decided in the affirmative, there being counted,

Yeas ..... 45

Nays ..... 32

Whereupon Mr. Meares moved that the special order be postponed and laid upon the table, and it was so ordered.

And then,

On motion of Mr. Hill of Stokes,

The vote by which S. 474, as amended, was ordered to be engrossed and sent to the Senate, was reconsidered; there being counted

In the affirmative ..... 46 votes.

In the negative ..... 32 “

The House were informed of the passage in the Senate of the following :

H. 383, to charter Townsville, in Granville county, with an amendment ; also



H. R. 525, concerning the principal clerks, with an amendment ; in which they asked the concurrence of the House.

And the question being put, the House concurred therein.

Mr. Yancy moved to take up

H. 28, to establish the county of Avery ; and it did not prevail.

By a message from the Senate, the House being informed of the passage in that body of H. 98, to amend R. C., chapter 99, title Revenue, s. 60, (introduced by Mr. Lewis of Nash,) with an amendment ; the question was put, Shall the House concur therein ? and, a division being called for, there appeared no quorum. Mr. Ward demanded the yeas and nays upon the question, but the demand not being seconded, the chair decided the same not in order. From this decision Mr. Ward appealed ; and the question being, Shall the decision of the chair stand as the judgment of the House ? it was decided in the affirmative, there being counted,

In the affirmative .....	59 votes,
In the negative .....	13 "

And the quorum appearing, the amendment of the Senate was concurred in, and the Senate ordered to be informed thereof.

S. 519, concerning the bank of Cape Fear, being the special order for 10½ o'clock, was then read the second time, and

Mr. Caldwell offered an amendment, which was not adopted.

Mr. Meares offered the following amendment :

*“Be it further enacted,* That the General Assembly may, at any time within five years, increase the capital stock of said bank, to an amount not exceeding three millions of dollars ; and the State shall have the right to subscribe for the same amount of stock, in said bank, and upon the same terms and conditions as may be contained in a re-charter of the bank of the State. And upon such subscription of stock, the Public Treasurer shall divide, as nearly as may be, in making his deposits, the public moneys between the said bank and the bank of the State : *Provided,* That all such deposits shall be made in the city of Raleigh.”

And the question being thereon, it was decided in the affirmative, there being counted,

Yeas ..... 42

Nays ..... 19

And the question recurred, Shall this bill pass the second reading? and was put, and

Decided in the affirmative—Yeas ..... 93

Nays ..... 7

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Cox of Perquimons, Crump, Dancy, Dargan, Davidson, Dills, Eller, Elliott, Erwin, Ferebee, Foster, Gaither, Gentry, Gilliam, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hill of Stokes, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Kelly, Leach, Lewis of Wake, Lewis of Nash, Little, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, Martin, Mason, Masten, Matthews, McIntosh, Meares, Montgomery, Moore, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pickett, Ramsour, Rand, Reeves, Richardson, Routh, Rumley, Sauls, Scales, Settle, Slaughter, Smallwood, Speer, Stewart, Stiles, Strayhorn, Tate, Thompson, Tomlinson, Toms, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus, Williamson, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Caldwell, Hester, Long, Pitchford, Rushing, Scott and Withers.

So the bill passed the second reading; and then,

On motion of Mr. Gilliam,

The bill passed the third reading (the rule being suspended) and was ordered to be sent to the Senate.

And the House proceeded to consider the special order,

S. 439, to re-charter the Bank of the State of North-Carolina, when Mr. Bledsoe offered a substitute therefor, which is the same bill (No. 268) introduced by him on the 29th De-

ember. Mr. White of Cabarrus offered an amendment thereto, which was adopted, as follows:

*Be it further enacted*, That books shall be opened in the town of Concord, Cabarrus county, at the same time, and under the rules and regulations by which they are required to be opened at other places, under the direction of Robert W. Allison, Daniel Coleman, Robert S. Young, Caleb Phifer, Rufus Barringer and Kiah P. Harris, or any three of them, for subscription to the capital stock in said bank; and when the sum of one hundred and fifty thousand dollars shall have been subscribed on the books so opened, and the instalments paid in as required by this act, the directors of said bank are required to establish a branch of said bank in the town of Concord, Cabarrus county, with a capital of not less than one hundred and fifty thousand dollars, to be governed by the same rules and regulations as the other branches of said bank; *Provided*, nothing herein contained shall not be so construed as to compel the principal bank to continue the said branch to the detriment of said bank."

The question being upon the amendment of Mr. Bledsoe, as thus amended, it was adopted.

Mr. Caldwell offered an amendment which was not adopted, and the bill then passed the second reading, and the rule being suspended, and the bill read the third time, and the question put thereon, Mr. Jones offered an amendment thereto which was not adopted. Mr. Leach offered an amendment as follows:

*Be it further enacted*, That the directors of said bank are required to establish a branch in the town of Lexington, with a capital not exceeding \$400,000, to be governed by the same rules and regulations as the other branches of said bank; provided nothing herein contained shall be so construed as to compel the principal bank to continue the said branch to the detriment of said bank.

And the question being thereon, it was first amended on motion of Mr. Hill of Halifax, as follows, viz:

*Provided further*, That the capital of said branch shall be subscribed in said town; and then the question thereon



being put, it was decided in the affirmative; there being counted

Yeas ..... 7

Nays ..... 30

And the question recurring, Mr. Caldwell offered an amendment which was not adopted; Mr. Houck an amendment which was not adopted; and then the question recurred, Shall the bill pass the third reading? and was put, and

Decided in the affirmative—Yeas ..... 64

Nays ..... 31

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Bethea, Bledsoe, Bright, Bynum, Bullock, Clarke, Dancy, Dargan, Davidson, Dills, Gentry, Gilliam, Glass, Green, Hackney, Hall, Harrell, Hill of Stokes, Hill of Halifax, Holmes, Jarvis, Jenkins, Jennett, Johnston, Kelly, Lewis of Wake, Lewis of Nash, Lyon of Orange, Mann, Mason, Masten, Matthews, Meares, Montgomery, Moore, Mosely, Outlaw, Outerbridge, Parker, Patterson, Pearson, Rand, Reeves, Rushing, Sauls, Scales, Settle, Slaughter, Smallwood, Stewart, Stiles, Strayhorn, Stubbs, Tate, Thompson, Tomlinson, Waddill, Waugh, White of Sampson, White of Cabarrus, Williamson, Wilson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Benbury, Blow, Caldwell, Cansler, Crump, Eller, Elliott, Ferebee, Foster, Gaither, Hargrove, Hester, Houck, Jones, Leitch, Little, Long, Lyon of Granville, March, Martin, McIntosh, Ogburn, Pitchford, Ramsour, Rankin, Routh, Scott, Sharp, Siler, Speer and Toms.

Mr. Humphrey paired off with Mr. Baxter.

Mr. Pickett paired off with Mr. Cox of Jones.

So the bill passed the third reading; and then,

On motion of Mr. Outlaw,

The rule being suspended, it was ordered to be returned to the Senate with the amendments, and the same was so transmitted by the clerk.

A message was received from the Senate, returning the

bill (S. 496) to amend the R. C., title Revenue, otherwise known as "The Revenue Bill," and informing the House that the Senate did not concur in the amendment No. 9, originating in this body; and the question being, Shall the House recede therefrom?

On motion of Mr. Hill of Halifax,

The House insisted upon its amendment, there being counted

Yeas .....	67
Nays .....	7

An the Senate was directed to be informed of this action, and,

On motion of Mr. Scales,

That the House proposed a committee of conference thereon.

On motion of Mr. Hill of Halifax,

S. 352, concerning the coupon bonds of the N. C. Railroad Company, the rule being suspended, was taken up, there being counted

In the affirmative ..... 46 votes.

In the negative ..... 14 "

And the bill being read the second time, Mr. Crump offered a substitute therefor; and the question being, Shall the House strike out all after the enacting clause? it was decided in the negative, and the question recurred.

Mr. Caldwell offered an amendment, which was adopted; and the question recurring, Shall this bill as amended pass the second reading? it was again

Decided in the negative—Yeas .....	25
Nays .....	70

On motion of Mr. Crump,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Bledsoe, Bridgers, Caldwell, Daney, Gaither, Glass, Hall, Hill of Halifax, Jenkins, Johnston, Jones, Lewis of Wake, Montgomery, Outerbridge, Patterson, Rand, Scales, Sharp, Strayhorn, Tate, Thompson, Waugh, White of Sampson, and White of Cabarrus.

And the following in the negative, viz:

NAYS.—Messrs. Bethea, Bynum, Bullock, Cansler, Clarke, Cotten, Cox of Perquimons, Crump, Dargan, Davidson, Dills, Eller, Elliott, Ferebee, Foster, Gentry, Gilliam, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Houck, Humphrey, Jarvis, Jennett, Leach, Leitch, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mann, March, Martin, Mason, Masten, Matthews, Meares, Moore, Mosely, Ogburn, Parker, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Rumley, Rushing, Sauls, Scott, Siler, Smallwood, Speer, Stewart, Stiles, Stubbs, Tomlinson, Toms, Waddill, Ward, Williamson, Withers, and Yancy.

So the bill was again rejected.

Mr. Scott moved that the vote by which

S. 515, to charter the Western N. C. Railroad Company had passed the third reading, be reconsidered.

Mr. Gilliam moved that the question thereon be postponed until the 4th of March next; and, upon this question,

On motion of Mr. Sharp,

The yeas and nays being ordered, the clerk proceeded to call the roll, and had called the names of Messrs. Badham and Barnes, when the hour for the adjournment arrived,

And the House adjourned.

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AFTERNOON SESSION, FRIDAY, 30TH JANUARY, 1857.

The Senate having informed the House that it insisted upon its disagreement to the amendment No. 9 to S. 496, and that it concurred in the proposition to appoint a committee of conference, and had appointed thereto Messrs. Dockery, Boyd and Clarke; and the House again insisting upon its amendment, the Speaker appointed Messrs. Scales, Long, Stubbs, Outlaw and Hill of Halifax as the House branch of that committee.

A message was received from the Senate proposing to rescind the joint resolution concerning adjournment, and to



raise a joint committee to ascertain the condition of the public business, etc., which being read,

Mr. Humphrey moved the same be laid upon the table, and the question was put and

Decided in the negative—Yeas .....	45
Nays .....	54

On motion of Mr. Hester,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Bledsoe, Bridgers, Bynum, Clarke, Cotten, Crump, Dancy, Dargan, Dills, Eller, Elliott, Gentry, Glass, Green, Hall, Hill of S., Jenkins, Kelly, Leach, Lewis of Wake, Love, Mabry, Masten, McIntosh, Meares, Ogburn, Pitchford, Rand, Reeves, Richardson, Routh, Sauls, Settle, Siler, Speer, Stewart, Stiles, Strayhorn, Tate, Thompson, Ward, White of Sampson, White of Cabarrus and Williamson.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Benbury, Bethea, Blanton, Blow, Bright, Bullock, Caldwell, Cansler, Cox of Perquimons, Davidson, Ferebee, Gaither, Gilliam, Hackney, Hargrove, Harrell, Hester, Hill of Halifax, Houck, Humphrey, Jennett, Johnston, Jones, Leitch, Lewis of Nash, Little, Lyon of Granville, Mann, March, Martin, Matthews, Montgomery, Moore, Mosely, Outerbridge, Parker, Patterson, Pearson, Ramsour, Rankin, Rumley, Rushing, Scott, Sharp, Smallwood, Tomlinson, Toms, Waddill, Waugh, Whitson, Wilson, Withers and Yancy.

Mr. Gilliam introduced the following:

“*Resolved*, That a message be sent to the Senate, proposing to raise a joint committee of two, on the part of each House, to examine into the unfinished business, and report when the two Houses can adjourn with due regard to the public interests.”

Mr. Hill of Halifax, moved the following amendment thereto, viz:

“*Resolved*, That this House convene at 9½ A. M., and adjourn at 1½ P. M., meet again at 3 P. M., and meet again at 7 P. M., and adjourn at 12 P. M.”

And the question being thereon, it was adopted; there being counted

Yeas ..... 57

Nays ..... 34

Mr. Houck moved an amendment to the amended resolution of Mr. Gilliam, and it was not adopted; and the question recurred, Mr. Meares moved that the same be indefinitely postponed; and this question was put and decided in the affirmative, there being counted

Yeas ..... 53

Nays ..... 37

The House resumed the consideration of the unfinished business of the morning session, being the motion of Mr. Scott to reconsider the vote by which S. 520, to charter the Western N. C. Railroad Company had passed, and the yeas and nays being already ordered, the clerk proceeded with the call, when the following members of the House voted as follows:

Yeas ..... 21

Nays ..... 76

The following members voted in the affirmative, viz:

YEAS.—Messrs. Caldwell, Crump, Eller, Elliott, Gaither, Kelly, Leach, Leitch, March, Martin, McIntosh, Ogburn, Richardson, Scott, Sharp, Siler, Speer, Stiles, Ward, Williamson and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Benbury, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clarke, Dancy, Dargan, Davidson, Dills, Ferebee, Folk, Gilliam, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Lewis of Wake, Lewis of Nash, Little, Love, Lyon of Granville, Mann, Mason, Masten, Matthews, Montgomery, Moore, Mosely, Outerbridge Parker, Patterson, Pearson, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rumley, Rushing, Sauls, Settle, Smallwood, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Wad-

dill, Waugh, White of Sampson, White of Cabarrus, Whitson, Wilson and Withers.

And the House proceeded to the special order, being

S. 520, the bill concerning the Albemarle and Chesapeake Canal; and the question being, Shall this bill pass the second reading? Mr. Martin offered an amendment which was not adopted; Mr. Ward an amendment which was not adopted; and the question then being put, it was

Decided in the negative—Yeas .....	35
Nays .....	63

On motion of Mr. Cansler,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Benbury, Blow, Caldwell, Cox of Perquimons, Dargan, Ferebee, Gilliam, Glass, Houck, Holmes, Jarvis, Jennett, Johnston, Kelly, Love, Mabry, Mann, Mason, Montgomery, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Rumley, Scott, Siler, Slaughter, Smallwood, Stiles, Tate, Ward, White of Cabarrus and Wilson.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Bethea, Blanton, Bridgers, Bynum, Bullock, Cansler, Cotten, Crump, Dancy, Davidson, Dills, Eller, Elliott, Folk, Gaither, Gentry, Hackney, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Humphrey, Jenkins, Jones, Leach, Leitch, Lewis of Wake, Lewis of Nash, Little, Lyon of Granville, March, Martin, Masten, Matthews, McIntosh, Meares, Moore, Mosely, Pearson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Rushing, Sauls, Settle, Sharp, Speer, Stewart, Strayhorn, Thompson, Tomlinson, Toms, Waddill, Waugh, White of Sampson, Whitson, Williamson and Yancy.

So the bill was rejected upon the second reading.

Mr. Houck moved that the vote by which S. 352, concerning the coupon bonds of the N. C. Railroad Company, had been rejected the second time, be reconsidered; Mr. Davidson moved the question be laid upon the table, and the question thereon was put and adopted, there being counted,



In the affirmative .....	58 votes.
In the negative .....	30 “

Mr. Lewis of Wake introduced the following :

“ *Resolved*, That a message be sent to the Senate, proposing to raise a joint committee of two on the part of each house, to examine into the unfinished business, and report when the two Houses can adjourn with due regard to the public interests.”

Pending which, Mr. Dancy moved to reconsider the vote on S. 520, concerning the Albemarle and Chesapeake canal, and the question was put and decided in the affirmative.

The question was then put upon the resolution of Mr. Lewis of Wake, and a division being called for, it was decided in the affirmative, there being counted,

In the affirmative .....	52 votes,
In the negative .....	31 “

And the House proceeded with the reconsideration of S. 520, and Mr. Outlaw moved that the bill be amended by striking out all after the word “bond” in line 13 of section 2, and it was adopted ; and the question recurring, Mr. Bridgers moved the same be laid upon the table, pending which, the hour for the adjournment arrived, and the House adjourned.

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#### NIGHT SESSION, FRIDAY, 30TH JANUARY, 1857.

Bills and joint resolutions of the titles following were then introduced from the Senate, read, passed the first reading, and were filed for the second reading or otherwise ordered and disposed of as follows, viz :

No. 538, an engrossed bill to amend the R. C., chapter 59, title Insolvent Debtors, s. 19.

No. 539, an engrossed bill to charter the town of Jackson.

No. 540, an engrossed bill to amend the charter of the town of Hillsboro’.

No. 541, an engrossed bill to alter the county line of Surry and Ashe.

No. 542, an engrossed bill to provide for the maintenance of the Insane Asylum.

On motion of Mr. Stubbs,

The rule was suspended, and the following entitled bills passed the second and third readings and were ordered to be engrossed and sent to the Senate, viz :

H. 447, to provide inspectors for Washington.

S. 453, to amend the charter of the Indian Grave Gap Turnpike Company.

H. 330, concerning cotton and wheat inspectors in the town of Wilmington; the question being, Shall this bill pass the second reading? Mr. Hill of Halifax offered an amendment which was adopted; and the question recurred. Mr. Meares moved the question be indefinitely postponed; pending which, Mr. Outlaw moved the unfinished business of the afternoon session, to-wit: The motion to lay on the table the question on the passage of S. 520, concerning the Albemarle and Chesapeake Canal be now postponed, and made a special order for to-morrow at 10½ o'clock, and the question upon this motion being put, it was so ordered.

And the House resumed the consideration of H. 330, and the question upon the indefinite postponement of the bill was put and

Decided in the negative—Yeas ..... 37

Nays ..... 68

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Benbury, Eborn, Eller, Elliott, Ferebee, Foster, Gaither, Harrell, Houck, Jennett, Kelly, Leach, Leitch, Little, Mabry, Mann, March, Martin, McIntosh, Meares, Montgomery, Outlaw, Patterson, Pickett, Reeves, Richardson, Routh, Scott, Settle, Sharp, Slaughter, Speer, Stubbs, Waddill, White of Cabarrus, Williamson and Wilson.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clarke, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Folk,

Gentry, Gilliam, Glass, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Holmes, Humphrey, Jarvis, Jenkins, Johnston, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Moore, Mosely, Ogburn, Outerbridge, Parker, Pearson, Pitchford, Ramsour, Rand, Rankin, Rumley, Rushing, Sauls, Scales, Siler, Smallwood, Stewart, Strayhorn, Tate, Thompson, Tomlinson, Toms, Ward, Waugh, White of Sampson, Withers and Yancy.

So the House refused to postpone indefinitely; and the question recurred, when Mr. Meares offered an amendment as follows, viz:

“*Be it further enacted*, That all articles shipped from the port of Wilmington without being first sold in said town shall be exempted from inspection and all charges therefor: *Provided*, That if Cotton-shipped is inspected it shall be done by the regular inspectors.”

And the question thereon was put and

Decided in the affirmative—Yeas .....	78
Nays .....	21

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Benbury, Bethea, Bledsoe, Bynum, Bullock, Cansler, Clarke, Cox of Perquimons, Crump, Dancy, Davidson, Dills, Eborn, Eller, Elliott, Ferebee, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Hackney, Hall, Harrell, Hill of Halifax, Houck, Humphrey, Jarvis, Jennett, Kelly, Leach, Leitch, Lewis of Nash, Little, Lyon of Orange, Lyon of Granville, Mabry, Mann, March, Martin, Mason, Masten, Matthews, McIntosh, Meares, Montgomery, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pickett, Rand, Rankin, Reeves, Richardson, Routh, Rushing, Scott, Sharp, Siler, Slaughter, Smallwood, Speer, Stiles, Strayhorn, Stubbs, Tomlinson, Toms, Waddill, White of Cabarrus, Williamson, Wilson, Withers and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Blanton, Blow, Bright, Green.



Hargrove, Hester, Hill of Stokes, Holmes, Jenkins, Johnston, Long, Moore, Mosely, Rumley, Sauls, Scales, Stewart, Thompson, Ward and Waugh.

Mr. Hill of Halifax then offered an amendment, which was adopted; Mr. Holmes an amendment, which was adopted; and then the bill passed the second reading.

A message from the Senate informed the House that that body had agreed to the proposition of the House embodied in the resolution of Mr. Lewis of Wake, and that Messrs. Hill and Pool were their committee upon unfinished business. Also, that they concurred in the House resolution of Mr. Jenkins upon enrolled bills.

Mr. Meares moved that so much of the message as related to unfinished business be laid upon the table, and the question thereon was put and

Decided in the negative—Yeas .....	42
Nays .....	56

On motion of Mr. Jenkins,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Bethea, Blanton, Bright, Bullock, Caldwell, Cansler, Davidson, Ferebee, Gaither, Hargrove, Harrell, Hester, Humphrey, Jarvis, Jennett, Johnston, Leitch, Lewis of Nash, Lyon of Granville, Mann, March, Matthews, Montgomery, Mosely, Outerbridge, Parker, Patterson, Pearson, Ramsour, Rankin, Rumley, Rushing, Scott, Sharp, Stubbs, Tomlinson, Toms, Whitson, Wilson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Benbury, Bledsoe, Blow, Bridgers, Bynum, Clarke, Cotten, Cox of Perquimons, Crump, Dancy, Dargan, Dills, Eller, Elliott, Gentry, Glass, Green, Hackney, Hall, Hill of Stokes, Hill of Halifax, Houck, Jenkins, Leach, Little, Love, Mabry, Martin, Masten, McIntosh, Meares, Moore, Ogburn, Outlaw, Pitchford, Reeves, Richardson, Routh, Sauls, Scales, Settle, Siler, Smallwood, Speer, Stewart, Stiles, Strayhorn, Tate, Thompson, Waddill, Ward, Waugh, White of Sampson, White of Cabarrus and Williamson.

So the House refused to lay the message on the table; and

then the question being, Shall the House concur therein? The House concurred, and the Chair appointed Messrs. Blow and Gilliam the House branch upon that subject.

And then the House resumed the consideration of

H. 330, and the question was put, Shall this bill pass the third reading? Mr. Meares moved an amendment, which was adopted; and then the bill passed the third reading, and was *Ordered*, To be engrossed and sent to the Senate.

Mr. Outlaw, from the committee of conference upon S. 496, to amend R. C., chapter 99, entitled Revenue, known as "The Revenue Bill," submitted a report in writing as follows, viz:

"The undersigned, a committee on the disagreeing vote of the two Houses upon the amendment of the House of Commons to a bill of the Senate, entitled a bill to amend the 99th chapter of the Revised Code, entitled Revenue, imposing a tax of  $\frac{1}{8}$  of one per cent. per mile on passengers and freight passing over the railroads in this State, having met, do, after a full and free conference, recommend to their respective Houses, that the section of the bill as it came from the Senate, together with the amendment thereto by the House, be stricken from the bill.

DAVID OUTLAW,  
J. R. STUBBS,  
A. M. SCALES, Jr.,  
WM. LANE,  
WM. HILL."

And the question being upon concurring in this report, it was

Decided in the affirmative—Yeas ..... 83  
Nays ..... 17

On motion of Mr. Gilliam,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Barnes, Bethea, Bledsoe, Blow, Bridgers, Bright, Bynum, Bullock, Cansler, Clarke, Cox of Perquimons, Dancy, Dargan, Davidson, Eller, Elliott, Folk, Foster, Gaither, Glass, Green, Hall, Hargrove, Harrell, Hill

of Stokes, Hill of Halifax, Holmes, Jarvis, Jenkins, Jennett, Johnston, Kelly, Leach, Long, Love, Lyon of Orange, Lyon of Granville, Mabry, Mason, Masten, Matthews, McIntosh, Montgomery, Moore, Mosely, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Routh, Rumley, Sauls, Scales, Scott, Settle, Sharp, Siler, Slaughter, Smallwood, Speight, Stewart, Strayhorn, Stubbs, Tate, Thomson, Tomlinson, Toms, Waddill, Ward, White of Sampson, White of Cabarrus, Whitson, Williamson, Wilson and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Benbury, Blanton, Dills, Ferebee, Gilliam, Hackney, Hester, Humphrey, Leitch, Little, Mann, Martin, Meares, Richardson, Speer, Waugh and Yancy.

Mr. Blow, from the committee on unfinished business, submitted a report in writing as follows :

“The undersigned, joint committee to examine the unfinished business of the two Houses of this General Assembly, and report thereon, say: There are now on the desk of the Clerk of the Senate over two hundred bills, which have not yet been acted on, and on the desk of the Clerk of the House over one hundred bills yet to be acted on. The undersigned believe that their due consideration would occupy at least thirty days. They ask leave to refer the question of the time of the adjournment to the two Houses of this honorable General Assembly.”

SAMUEL P. HILL,  
JOHN POOL, L,  
H. A. GILIZ,  
W. J. BILHAM,

A message from the Senate informed the House that, that body concurred in the amendment proposed to the bill S. 519 concerning the Bank of Cape Fear.

On motion of Mr. Folk,

H. 28, to establish the county of Avery, was taken up from the table, and the question read, Shall this bill pass the third reading? and it was



Decided in the affirmative—Yeas ..... 52  
 Nays ..... 39

On motion of Mr. Strayhorn,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Bethea, Blanton, Bledsoe, Bynum, Cansler, Clarke, Cotten, Crump, Dargan, Davidson, Dills, Eller, Elliott, Folk, Foster, Gaither, Gentry, Glass, Hackney, Hall, Harrell, Hill of Stokes, Leach, Love, March, Martin, Masten, Matthews, McIntosh, Meares, Montgomery, Patterson, Pearson, Pickett, Ramsour, Rankin, Richardson, Routh, Sauls, Scales, Settle, Sharp, Siler, Speer, Stewart, Toms, Waddill, Ward, Waugh, White of Cabarrus, Whitson, Wilson and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Bridgers, Bullock, Cox of Perquimons, Dancy, Ferebee, Green, Hargrove, Hester, Hill of Halifax, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Leitch, Little, Long, Lyon of Orange, Lyon of Granville, Mabry, Mason, Moore, Outlaw, Outerbridge, Parker, Pitchford, Rand, Slaughter, Southerland, Speight, Strayhorn, Stubbs, Thompson, Tomlinson, White of Sampson, Williamson and Withers.

So the bill passed the third reading, and the question being, Shall this bill be engrossed and sent to the Senate? It was decided in the affirmative, there being counted,

Yeas ..... 57  
 Nays ..... 17

S. 521, to charter the Hyde County Steamboat Joint Stock Company, then, on motion of Mr. Jennett, the rule being suspended, passed the second and third readings, and was ordered to be enrolled. Also,

On motion of Mr. Hill of Stokes,

S. 454, to charter the Yadkin Manufacturing Company, in the county of Montgomery,

S. 354, to amend the charter of the Bank of Wilmington, then being read the second time, passed the second reading,

and the question being upon the third reading, Mr. Tate moved an amendment which was not adopted.

Mr. Outlaw moved to strike out part of sec. 2, and it did not prevail, there being a quorum present but not voting. Mr. Holmes moved the bill be laid on the table, and it was so ordered.

S. 452, to charter the Shepard's Point Land Company, was then read the second time, and passed the second reading, and the question being, Shall this bill pass the third reading?

Mr. Outlaw moved to amend by inserting an additional section, concerning the liability of individual corporators; and the amendment being adopted, the bill as amended passed the third reading, and was ordered to be enrolled.

Mr. Davidson moved that the vote by which the resolution (S. R. 360) in favor of John M. Morehead and another, was postponed, be reconsidered, and it was not adopted; the same being, on motion of Mr. White of Cabarrus, laid upon the table.

And the House resumed the calendar and the file of bills on the second reading, when the following bills were rejected, postponed or passed, etc., as follows :

H. 322, to amend R. C., chapter 79, title Ordinaries and Inns, s. 6, did not pass the second reading.

H. 402, to lay off a road in Yancy and Burke, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

H. 323, to amend R. C., chapter 107, title Slaves and Free Negroes. Laid on the table.

H. 325, to amend R. C., chapter 120, title Wrecks, s. 2,

On motion of Mr. Jenkins,

Postponed to the 4th of March.

H. 326, to alter the county line between Wilkes and Catawba,

On motion of Mr. Eller,

Postponed to the 4th of March.

H. 327, concerning bank statements,

On motion of Mr. Hill of Halifax,

Indefinitely postponed.

H. R. 329, in favor of E. D. Hampton,

On motion of Mr. Bullock,

Postponed till the 4th of March.

H. 331, to repeal fishery laws in Camden and Currituck was,

On motion of Mr. Jarvis,

Laid upon the table.

H. 332, to exempt overseers of roads from militia duty,

On motion of Mr. Hill of Halifax,

Laid upon the table.

H. 335, to amend R. C., chapter 34, title Crimes and Punishments, s. 37, was,

On motion of Mr. Gilliam,

Postponed till the 4th of March, there being counted,

Yeas ..... 47

Nays ..... 21

H. 338, to alter the line between Wilkes and Caldwell, passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

H. R. 340, in favor of Woodburn Female Academy was,

On motion of Mr. Lyon of Orange,

Postponed till the 4th of March.

H. 34, to establish a public road in the county of Caldwell and for other purposes, first being amended, passed the second reading, there being counted,

In the affirmative ..... 42 votes,

In the negative ..... 23 "

And then the third reading,

Yeas ..... 43

Nays ..... 33

On motion of Mr. Hester,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Benbury, Bethea, Blanton, Cansler, Clarke, Cox of Perquimons, Crump, Dancy, Davidson, Eller, Elliott, Ferebee, Folk, Foster, Gaither, Gentry, Gilliam, Glass, Green, Hall, Holmes, Leach, Leitch, Love, Lyon of Orange, Mann, March, Martin, Matthews, McIntosh, Meares,



Pearson, Richardson, Routh, Scales, Settle, Sharp, Siler, Speer, Tate, White of Sampson, White of Cabarrus and Whitson.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Blow, Bright, Bynum, Bullock, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Hill of Halifax, Jarvis, Jenkins, Johnston, Lewis of Nash, Little, Long, Lyon of Granville, Moore, Outerbridge, Parker, Patterson, Pitchford, Rumley, Sauls, Strayhorn, Thompson, Tomlinson, Toms, Waddill, Williamson and Withers.

A message from the Governor, concerning the Cape Fear and Deep River Navigation Company, being announced, the reading thereof was dispensed with, and the same was,

On motion of Mr. Blow,

Sent to the Senate, with a proposition to raise a joint-select committee upon the subject.

A message from the Senate informed the House of the passage in that body of the following:

H. 282, for the relief of the insane, and the amendments to the bill;

S. 541, to alter the line between Surry and Ashe counties, and that they concurred in the report of the committee of conference, upon the bill (S. 496) to amend R. C., chapter 99, entitled Revenue, known as the Revenue bill.

The House then resumed the calendar, and the following bills and joint resolutions being read, were passed, or disposed of as follows:

H. 342, to charter a fire company in the village of Rockfish, passed the second and third readings respectively, and was ordered to be engrossed and sent to the Senate.

H. 347, to charter the Sapona Mining and Manufacturing Company.

H. 350, to charter the Mountain Railroad Company; the same being first,

On motion of Mr. Outlaw,

Amended so as to strike out the subscription or endorsement proposed to be made by the State.

H. 351, to change the time for holding court in Wilkes

county, was read the second time, and pending the question thereon, a message was announced from the Senate concurring in the proposition to refer the message of the Governor upon the subject of the Cape Fear and Deep River Improvement to a joint-select committee, and to inform the House that Messrs. Eaton and Gorrell were appointed the Senate branch thereof; whereupon, the Speaker appointed Messrs. Blow, Gilliam and Long the House branch; and then the House,

On motion of Mr. Blow,  
And at 10 o'clock and 7m. adjourned.

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SATURDAY, 31ST JANUARY, 1857.

On motion of Mr. Strayhorn,

The calendar and rule were suspended, and the following entitled joint resolutions severally read, passed the second and third readings, and disposed of as follows, viz:

H. R. 543, in favor of Lemuel Wilkinson and others.

H. R. 544, in favor of Wm. J. Lougee.

*Ordered*, That they be engrossed and sent to the Senate.

A message was received from the Senate informing the House that they concurred in the amendment to the S. 439, to re-charter the Bank of the State of North-Carolina.

Mr. Humphrey introduced a resolution,

H. R. 545, in favor of the clerks of the General Assembly, and the rules being suspended, the same passed the second and third readings, and was ordered to be engrossed and sent to the Senate.

And the House resumed, under a special order, the consideration of

S. 520, concerning the Albemarle and Chesapeake Canal; and Mr. Davidson offered an amendment, which was read, as follows:

“That upon the completion of each and every section of the Wilmington, Charlotte and Rutherford Railroad, as provided by the charter of said company, the Treasurer of the

State, instead of endorsing the bonds of the company as now provided, shall issue the bonds of the State, with coupons attached, conforming in character as nearly as practicable to those issued for the construction of the Western North-Carolina Railroad, and deliver them to the president and directors of said company, for an amount not to exceed eight thousand dollars per mile. *Provided, however,* That said company shall first deliver to the treasurer its own bonds, with coupons attached, payable at the treasury in Raleigh, and to secure to the State the principal and interest thereon, shall deliver the deed of mortgage and pledge, as now provided by the charter."

And the question being thereon, it was

Decided in the negative—Yeas ..... 22

Nays ..... 72

On motion of Mr. Davidson,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Belbury, Blanton, Cansler, Clarke, Dargan, Davidson, Gilliam, Harrell, Holmes, Little, Love, Mabry, March, Matthews, Meares, Pickett, Ramsour, Rankin, Routh, Rushing, Tate and Toms.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Bethea, Bledsoe, Blow, Bridgers, Bynum, Bullock, Caldwell, Cotten, Dancy, Dills, Eborn, Ferabee, Gaither, Gentry, Glass, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Hill of Halifax, Houck, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Lyon of Orange, Lyon of Granville, Martin, Mason, Masten, McIntosh, Montgomery, Moore, Mosely, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Rand, Reeves, Richardson, Rumley, Sauls, Scales, Scott, Settle, Siler, Slaughter, Smallwood, Speer, Speight, Stewart, Stiles, Strayhorn, Stubbs, Thompson, Tomlinson, Waugh, White of Sampson, Whitson and Withers.

And the question recurred and was put as follows: Shall this bill pass the second reading? and it was



Decided in the affirmative—Yeas ..... 57  
 Nays ..... 43

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Benbury, Bethea, Blow, Caldwell, Cox of Perquimons, Crump, Dargan, Eborn, Elliott, Ferebee, Foster, Gaither, Gilliam, Glass, Hall, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Kelly, Lewis of Wake, Love, Mabry, Mann, Martin, Mason, Matthews, Meares, Montgomery, Moore, Mosely, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pitchford, Richardson, Routh, Rumley, Scott, Siler, Slaughter, Smallwood, Speer, Speight, Stiles, Strayhorn, Stubbs, Tate, Ward, White of Sampson and White of Cabarrus.

And the following voted in the negative, viz :

NAYS.—Messrs. Barnes, Blanton, Bledsoe, Bridgers, Bynum, Bullock, Cansler, Cotten, Dancy, Davidson, Dills, Eller, Gentry, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Jones, Leach, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, March, Masten, Pickett, Ramsour, Rand, Rankin, Rushing, Sauls, Scales, Settle, Thompson, Tomlinson, Toms, Waugh, Whitson, Williamson and Withers.

Mr. Reeves paired off with Mr. Wilson.

So the bill passed the second reading, and the rule being suspended was read the third time; and the question being, Shall this bill pass the third reading? it was

Decided in the affirmative—Yeas ..... 56  
 Nays ..... 42

On motion of Mr. Blanton,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Benbury, Bethea, Blow, Caldwell, Cox of Perquimons, Crump, Dargan, Eborn, Elliott, Ferebee, Foster, Gaither, Gilliam, Glass, Hall, Hill of Halifax, Houck, Holmes, Humphrey, Jarvis, Jenkins, Jennett, Johnston, Kelly, Lewis of Wake, Love, Mabry, Mann, Martin, Mason, Matthews, Meares, Montgomery, Moore, Ogburn, Outlaw, Outerbridge,

Parker, Patterson, Pitchford, Richardson, Routh, Rumley, Scott, Sharp, Siler, Slaughter, Smallwood, Speer, Stiles, Strayhorn, Stubbs, Tate, Ward, White of Sampson and White of Cabarrus.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Blanton, Bledsoe, Bridgers, Bynum, Bullock, Cansler, Cotten, Dancy, Davidson, Dills, Eller, Gentry, Green, Hackney, Hargrove, Harrell, Hester, Hill of Stokes, Jones, Lewis of Nash, Little, Lyon of Orange, Lyon of Granville, Masten, Pickett, Ramsour, Rand, Rankin, Rushing, Sauls, Scales, Settle, Speight, Thompson, Tomlinson, Toms, Waugh, Whitson, Williamson, Withers and Yancy.

So the bill passed the third reading, and was ordered to be enrolled.

S. 352, concerning the coupon bonds of the N.C. Railroad Company; the question being upon the motion of Mr. Gilliam to reconsider the vote by which the same had been rejected; whereupon,

Mr. Cansler moved the same be laid upon the table; and the question was put thereon, and

Decided in the negative—Yeas .....	31
Nays .....	71

On motion of Mr. Cansler,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Blanton, Bynum, Cansler, Cotten, Davidson, Dills, Foster, Gentry, Hackney, Hargrove, Harrell, Hester, Lewis of Nash, Little, Long, Mason, Masten, Matthews, Meares, Outerbridge, Pickett, Ramsour, Rankin, Reeves, Rushing, Tomlinson, Toms, Williamson, Withers and Yancy.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Benbury, Bethea, Bledsoe, Blow, Bridgers, Bullock, Caldwell, Clarke, Cox of Perquimons, Crump, Dancy, Dargan, Eborn, Eller, Elliott, Ferebee, Gaither, Gilliam, Glass, Green, Hall, Hill of Stokes, Hill of Halifax, Houck, Holmes, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leach, Lewis of Wake, Love, Lyon of Orange, Lyon of Granville, Mabry, Mann, March, Martin, McIntosh,

Montgomery, Moore, Ogburn, Outlaw, Parker, Patterson, Pitchford, Rand, Routh, Rumley, Sauls, Scales, Scott, Sharp, Siler, Slaughter, Smallwood, Speer, Speight, Stewart, Strayhorn, Stubbs, Tate, Thompson, Waddill, Ward, Waugh, White of Sampson and White of Cabarrus.

So the House refused to lay the question on the table; and it recurred, and was put, and decided in the affirmative, and the motion to reconsider passed.

By a message from the Senate, the House was informed of the passage in that body, of the following engrossed bill and joint resolution, in which they asked the concurrence of the House, viz:

S. 546, to establish the standard weights of grain, etc.

S. R. 547, authorizing the Public Treasurer to borrow money; and the said resolution and bill were then read the first time, passed and filed for the second reading; and the rule being suspended, the same passed also the second and third readings, and were ordered to be enrolled.

The Senate also transmitted the resignation of Robert A. Hamilton, one of the trustees of the University, and informed the House of their agreement in the amendments proposed to the bill (S. 452) to charter the Shepherd's Point Land Company.

And then the House resumed the consideration of S. 352, concerning the coupon bonds of the N. C. Railroad Company; and Mr. Caldwell offered an amendment thereto, which was adopted; and then the question recurring, Shall this bill pass the second reading? it was put, and

Decided in the affirmative—Yeas ..... 48

Nays ..... 45

On motion of Mr. Toms,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Bledsoe, Bridgers, Bullock, Caldwell, Cox of P., Dancy, Eller, Elliott, Ferebee, Gaither, Gillingham, Glass, Green, Hall, Hill of S., Hill of Halifax, Houck, Jenkins, Johnston, Jones, Lewis of Wake, Love, Mabry, Mann, Martin, Mason, Masten, Montgomery, Moore, Ogburn, Outlaw, Outerbridge, Patterson, Rand, Rumley, Sauls, Scales,



Sharp, Slaughter, Speer, Speight, Strayhorn, Tate, Thompson, Waugh, White of Sampson and White of Cabarrus.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Bethea, Blanton, Bynum, Cansler, Clarke, Cotten, Dargan, Dills, Foster, Gentry, Hackney, Hargrove, Hester, Leach, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, March, Matthews, Meares, Parker, Pickett, Pitchford, Ramsour, Rankin, Richardson, Routh, Rushing, Scott, Settle, Siler, Smallwood, Stewart, Stubbs, Tomlinson, Toms, Waddill, Ward, Whitson, Williamson, Withers and Yancy.

So the bill passed the second reading; and then the rule being suspended, the bill passed the third reading, and was ordered to be engrossed and sent to the Senate.

Yeas ..... 49

Nays ..... 46

On motion of Mr. Parker,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Bledsoe, Bridgers, Bullock, Caldwell, Cox of Perquimons, Dancy, Eller, Elliott, Ferebee, Gaither, Gentry, Gilliam, Glass, Green, Hail, Hill of Stokes, Hill of Halifax, Houck, Holmes, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Love, Mabry, Mann, Martin, Masten, McIntosh, Montgomery, Moore, Ogburn, Outlaw, Outerbridge, Patterson, Rand, Rumley, Sauls, Scales, Sharp, Speight, Strayhorn, Tate, Thompson, Waugh, White of Sampson and White of Cabarrus.

And the following in the negative, viz :

NAYS.—Messrs. Benbury, Bethea, Blanton, Bynum, Cansler, Clarke, Cotten, Dargan, Dills, Foster, Hackney, Hargrove, Harrell, Hester, Humphrey, Leach, Lewis of Nash, Little, Long, Lyon of Orange, Lyon of Granville, March, Mason, Matthews, Meares, Parker, Pitchford, Ramsour, Richardson, Routh, Rushing, Scott, Settle, Siler, Smallwood, Speer, Stewart, Stiles, Stubbs, Toms, Waddill, Ward, Whitson, Williamson, Withers and Yancy.

Mr. Blow paired off with Mr. Pickett.

Mr. Slaughter paired off with Mr. Wilson.

So the bill passed the third reading; and was

*Ordered*, To be engrossed, and sent, with the amendments, to the Senate.

Mr. Badham moved a message be sent to the Senate, proposing to rescind the joint order for the adjournment at 7½ P. M. on Monday next, and postpone the same to 3 o'clock P. M. of that day; Mr. Stubbs moved to lay the same upon the table, and the question then was put, and it was not adopted: Mr. Waugh moved to amend, by striking out and inserting "Wednesday next, at 7½ P. M.;" Mr. Benbury moved to amend the amendment, by striking out "Wednesday" and substituting "Tuesday" therefor, and this amendment to the amendment was not adopted; Mr. Stubbs moved to lay the same upon the table, and it was not adopted, there being counted,

In the affirmative ..... 38 votes,

In the negative ..... 48 "

Mr. Stubbs moved the question be indefinitely postponed; when

A message from the Senate informed the House of the passage in that body of H. 225, for the completion of the Atlantic and N. C. Railroad, with an amendment; and the question being upon concurring therein, the House did concur. Also, that the Senate concurred in and agreed to all the amendments offered in this body to S. 352, concerning the coupon bonds of the North-Carolina Railroad Company.

And the House resumed the consideration of the resolution of Mr. Badham; and the question being upon the motion of Mr. Stubbs to postpone indefinitely, it was not adopted; Mr. Benbury moved to postpone the question until the 4th of March, and it was not adopted; and the question being upon the amendment of Mr. Waugh, it was

Decided in the affirmative—Yeas ..... 53

Nays ..... 45

On motion of Mr. Dargan,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Bethea, Bledsoe, Bridgers, Bynum, Clarke, Cotten, Crump, Dills, Elliott, Foster, Gentry, Glass, Green, Hackney, Hall, Harrell, Hester, Hill of Stokes, Holmes, Jenkins, Johnston, Leach, Lewis of Wake, Love, Lyon of Orange, Mabry, Mann, Martin, Masten, McIntosh, Meares, Pearson, Pitchford, Rand, Reeves, Richardson, Routh Sauls, Scales, Settle, Siler, Speer, Stewart, Stiles, Strayhorn, Tate, Thompson, Toms, Ward, Waugh, White of Sampson and White of Cabarrus.

And the following in the negative, viz :

NAYS.—Messrs. Benbury, Blanton, Bullock, Caldwell, Cansler, Cox of Perquimons, Dargan, Davidson, Eller, Ferebee, Gaither, Hargrove, Hill of Halifax, Houck, Humphrey, Jarvis, Jones, Kelly, Lewis of Nash, Little, Long, Lyon of Granville, March, Mason, Matthews, Montgomery, Moore, Ogburn, Outerbridge, Parker, Patterson, Ramsour, Rumley, Rushing, Scott, Sharp, Slaughter, Smallwood, Speight, Stubbs, Waddill, Whitson, Williamson, Withers and Yancy.

And the question then recurred, and was put upon the resolution as amended, and was

Decided in the affirmative—Yeas .....	54
Nays .....	42

On motion of Mr. Parker,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Bethea, Bledsoe, Bridgers, Bynum, Clarke, Cotten, Cox of Perquimons, Crump, Dancy, Dills, Elliott, Foster, Gentry, Glass, Green, Hackney, Hall, Hill of Stokes, Holmes, Jenkins, Johnston, Jones, Kelly, Leach, Lewis of Wake, Love, Lyon of Orange, Mabry, Mann, March, Martin, Masten, Meares, Pitchford, Rand, Reeves, Richardson, Routh, Sauls, Scales, Settle, Siler, Speer, Stewart, Stiles, Strayhorn, Tate, Thompson, Toms, Ward, Waugh, White of Sampson and White of Cabarrus.

And the following in the negative, viz :

NAYS.—Messrs. Benbury, Blanton, Bullock, Caldwell, Cansler, Dargan, Davidson, Eller, Ferebee, Gaither, Hargrove, Hester, Hill of Halifax, Houck, Humphrey, Jarvis, Jennett,



Lewis of Nash, Little, Long, Lyon of Granville, Mason, Matthews, Montgomery, Moore, Outerbridge, Parker, Patterson, Pearson, Ramsour, Rankin, Rushing, Scott, Slaughter, Smallwood, Speight, Stubbs, Waddill, Whitson, Williamson, Withers and Yancy.

So the resolution was adopted, and was ordered to be sent immediately to the Senate.

And the House adjourned.

AFTERNOON SESSION, SATURDAY, 31ST JANUARY, 1857.

On motion of Mr. Martin,

The question recurring upon the passage of H. 351, to change the time for holding the county court in Wilkes, the second reading, was laid upon the table.

S. 498, to amend the laws of 1852--'53, concerning civil process, then passed the second and third readings, and was ordered to be enrolled.

On motion of Mr. Lyon of Orange,

The rule was suspended, there being counted

Yeas ..... 38

Nays ..... 26

And he moved that the vote by which H. R. 340, in favor of Woodburne Female Seminary, had been postponed until the 4th of March be reconsidered, and the question was put, and decided in the affirmative.

By a message from the Senate, the House was informed that that body concurred in the proposition to rescind the former order, and agreed to adjourn on Wednesday next at 7½ o'clock, P. M.

S. 353, to amend the charter of the Cheoih Turnpike Company, then being read, passed the second and third readings, and was ordered to be enrolled.

S. 355, to charter the town of Columbus, then being read, passed the second and third readings, and was ordered to be enrolled.

On motion of Mr. Hill of Stokes,

No. 313 was taken from the table, and the question recurring, Shall this bill pass the third reading? Mr. Hill of Stokes offered an amendment, which was adopted; Mr. Scott an amendment, and Mr. Reeves an amendment thereto, which not being adopted, the question was put upon the amendment of Mr. Scott, when it was withdrawn; Mr. Reeves moved the bill be indefinitely postponed, and the question being put thereon, it was not adopted; Mr. Waugh moved an amendment, as follows:

“Insert after the word ‘Germanton’ ‘to or near Danbury,’ and strike out ‘thence to the Virginia line, in the direction to Christiansburg, Virginia,” and the same was adopted, and the question recurring, Shall this bill pass the third reading? it was decided in the affirmative.

And then,

On motion of Mr. Masten,

The rule was suspended, and the bill ordered to be sent forthwith to the Senate, and was sent accordingly.

And then the calendar being resumed, the following bills were read the second and third times respectively, passed, and were ordered to be enrolled, viz:

S. 356, to extend the charter of the New Garden Boarding School, and for other purposes.

S. 358, to charter the N. C. Gas Coal and Transportation Company.

On motion of Mr. Hill of Halifax,

The rule was suspended, and he had leave to introduce,

H. 548, to restrain the Bank of the State from issuing certain notes, and the bill was read, passed the first reading, and then the question being, Shall this bill pass the second reading? the hour for the adjournment arrived, and the House adjourned.

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NIGHT SESSION, SATURDAY, 31ST JANUARY, 1857.

On motion of Mr. Yancy,

The rule was suspended, and H. 533, concerning the

Greenville and French Broad Railroad Company, considered, and being read the second time and the question put thereon, Mr. Meares offered an amendment as follows :

“ *Provided*, The said road be run across the Butt Mountain Gap and then to Rutherfordton, and that said road shall not be constructed within five miles of South Carolina.” And the question being thereon, it was not adopted,

Yeas ..... 20

Nays ..... 55

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Benbury, Elliott, Ferebee, Houck, Holmes, Jones, Little, Mann, March, Meares, Parker, Pickett, Slaughter, Speer, Strayhorn, Tomlinson, Waddill, Ward and Williamson.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Bethea, Blanton, Bledsoe, Blow, Bridgers, Bynum, Bullock, Caldwell, Cotten, Cox of Perquimons, Dancy, Eborn, Gaither, Gilliam, Glass, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Jarvis, Johnston, Kelly, Long, Love, Lyon of Granville, Martin, Masten, Matthews, McIntosh, Montgomery, Moore, Ogburn, Outerbridge, Patterson, Pearson, Pitchford, Rankin, Reeves, Richardson, Routh, Rushing, Sauls, Scott, Settle, Siler, Smallwood, Stewart, Stiles, Thompson, Waugh, White of Cabarrus, Withers and Yancy.

So this amendment was not adopted ; and then the question recurring, Mr. Meares moved the following amendment :

“ *Provided* said company shall surrender their right to construct said road south of Asheville.”

And the question thereon was put, and

Decided in the negative—Yeas ..... 13

Nays ..... 58

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Elliott, Hill of Halifax, Houck, Holmes,



Jones, Little, Mann, Meares, Parker, Pickett, Speer, Waddill and Ward.

And the following voted in the negative, viz :

NAYS.—Messrs. Badham, Bethea, Blanton, Bledsoe, Bridgers, Bullock, Caldwell, Cansler, Clarke, Cotten, Dancy, Dills, Ferebee, Gaither, Gentry, Glass, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Jarvis, Jenkins, Johnston, Kelly, Long, Love, Lyon of Granville, Mabry, Martin, Masten, Matthews, McIntosh, Montgomery, Moore, Ogburn, Outerbridge, Patterson, Pearson, Rankin, Richardson, Routh, Rushing, Sauls, Scales, Scott, Settle, Smallwood, Stewart, Strayhorn, Thompson, Waugh, White of Cabarrus, Whitson, Williamson, Withers and Yancy.

And the question recurred, Shall this bill pass the third reading? and was put, and

Decided in the affirmative—Yeas .....	56
Nays .....	28

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Bethea, Bledsoe, Bridgers, Bullock, Caldwell, Cox of Perquimons, Dancy, Davidson, Dills, Elliott, Ferebee, Gentry, Glass, Green, Hackney, Hall, Hargrove, Harrell, Hill of Stokes, Jenkins, Johnston, Kelly, Long, Love, Martin, Mason, Masten, Matthews, Montgomery, Moore, Ogburn, Outerbridge, Patterson, Pearson, Rankin, Richardson, Routh, Rushing, Sauls, Scales, Scott, Settle, Siler, Speer, Stewart, Stiles, Stubbs, Thompson, Waddill, Ward, Waugh, White of Cabarrus, Whitson, Withers and Yancy.

The following voted in the negative, viz :

NAYS.—Messrs. Barnes, Benbury, Blanton, Clarke, Gaither, Hester, Houck, Holmes, Jarvis, Jones, Little, Lyon of Granville, Mann, March, McIntosh, Meares, Outlaw, Parker, Pickett, Pitchford, Ramsour, Reeves, Slaughter, Smallwood, Strayhorn, Tate, Tomlinson and Williamson.

So the bill passed the third reading, and was ordered to be enrolled.

And the House resumed the unfinished business of the afternoon session, being

H. 548, concerning small notes of the Bank of the State, and the question recurred on the passage of the bill the second reading, and was put and

Decided in the negative—Yeas .....	39
Nays .....	41

On motion of Mr. Pickett,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Benbury, Bridgers, Bullock, Cox of Perquimons, Dancy, Davidson, Ferebee, Green, Hargrove, Hester, Hill of Halifax, Holmes, Jarvis, Jenkins, Johnston, Jones, Kelly, Long, Love, Lyon of Granville, Martin, Mason, Meares, Moore, Outlaw, Outerbridge, Parker, Pitchford, Sauls, Scales, Settle, Slaughter, Strayhorn, Stubbs, Ward, Waugh and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Bethea, Blanton, Blow, Cansler, Dills, Elliott, Foster, Gaither, Gentry, Glass, Hill of Stokes, Leach, Little, Mabry, Mann, March, Masten, Matthews, McIntosh, Montgomery, Ogburn, Patterson, Pearson, Pickett, Ramsour, Rankin, Richardson, Routh, Scott, Siler, Smallwood, Speer, Stewart, Stiles, Tate, Thompson, Toms, White of Cabarrus, Whitson, Williamson and Yancy.

So the bill was rejected on the second reading.

Mr. Jenkins introduced a resolution (H. R. 549) in favor of the engrossing clerks ; which being read was,

On motion of Mr. Stubbs,

Laid upon the table.

A message was received from the Senate informing the House that that body concurred in the amendments to (S. 474) charter of the Cheraw and Coalfield Railroad.

S. 359, to authorise the examination of the wife in certain cases, then passed the second and third readings, and was ordered to be enrolled.

H. R. 340, in favor of Woodburne Female Academy, did not pass the second reading but was again rejected.

H. R. 362, to amend R. C., chapter 83, title Patrol, was read the second time, and

On motion of Mr. Stubbs,

Laid upon the table, there being counted

In the affirmative ..... 35 votes,

In the negative ..... 28 "

H. 365, concerning county courts was,

On motion of Mr. Outlaw,

Postponed until the 4th of March.

H. R. 364, in favor of the Governor's Private Secretary being read, Mr. Meares moved the same be postponed till the 4th of March, and it was not agreed to; and the question recurring, Mr. Leach moved to amend by inserting "the fee of ten cents each coupon bond sealed by him," and it was adopted; and the question recurring upon the passage of the resolution the second reading, it was put and

Decided in the negative—Yeas ..... 23

Nays ..... 57

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Blanton, Bledsoe, Bullock, Cox of Perquimons, Dancy, Gilliam, Green, Hill of Halifax, Holmes, Jenkins, Johnston, Love, Mason, Matthews, Outlaw, Patterson, Routh, Sauls, Scales, Slaughter, Strayhorn, Tate and Thompson.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Benbury, Blow, Bynum, Caldwell, Cansler, Clarke, Cotten, Dargan, Davidson, Dills, Eborn, Elliott, Ferebee, Foster, Gaither, Gentry, Glass, Hall, Hargrove, Harrell, Hester, Hill of Stokes, Houck, Jarvis, Jones, Leach, Little, Long, Lyon of Granville, Mann, Masten, McIntosh, Meares, Montgomery, Moore, Outerbridge, Parker, Pearson, Pickett, Pitchford, Richardson, Rushing, Scott, Sharp, Speer, Stewart, Stiles, Tomlinson, Toms, Waddill, Waugh, White of Cabarrus, Whitson, Williamson, Withers and Yancy.

So this resolution did not pass the second reading, but was rejected.



At 8 o'clock and 55m., Mr. Outlaw moved the House adjourn; and the question was put thereon, and

Decided in the affirmative—Yeas ..... 43

Nays ..... 41

On motion of Mr. Jones,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Barnes, Benbury, Bethea, Blanton, Blow, Bright, Bynum, Cox of Perquimons, Dancy, Dargan, Davidson, Eborn, Gentry, Gilliam, Glass, Hackney, Harrell, Hester, Houck, Jarvis, Leach, Mabry, Mann, Masten, Matthews, Montgomery, Moore, Outlaw, Outerbridge, Patterson, Reeves, Richardson, Routh, Sauls, Scott, Sharp, Slaughter, Stiles, Thompson, Whitson, Williamson, Withers and Yancy.

And the following in the negative, viz:

NAYS.—Messrs. Bledsoe, Bullock, Cansler, Clarke, Dills, Elliott, Ferebee, Green, Hall, Hargrove, Hill of Stokes, Hill of Halifax, Holmes, Jenkins, Johnston, Jones, Lewis of Nash, Long, Lyon of Granville, March, Martin, Mason, McIntosh, Parker, Pearson, Pickett, Pitchford, Ramsour, Rushing, Scales, Siler, Speer, Stewart, Strayhorn, Stubbs, Tate, Tomlinson, Toms, Waddill, Ward and White of Cabarrus.

So the House adjourned.

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#### MONDAY, 2D FEBRUARY, 1857.

The following entitled bill was received from the Senate, and being read, passed the first reading, viz: the bill (S. 550) to amend the charter of the Cape Fear and Deep River Navigation Company; Mr. Ferebee moved that it be made a special order for half-past three o'clock this afternoon; Mr. Cotten moved to amend by inserting half-past 10 to-morrow, and it was not adopted; and the question being upon the motion of Mr. Ferebee, it was adopted, and the order entered upon the calendar.

The Speaker announced the following committee on enroll-

ed bills, viz: Messrs. Gentry, Stewart, Rushing, Siler and Ogburn.

Mr. Ferebee introduced the following resolution, viz:

“*Resolved*, That a message be sent to the Senate, proposing to alter the hour of the adjournment *sine die* from 7½ o'clock A. M., to 5 o'clock A. M. on Wednesday, and that upon their concurrence therein, the two Houses stand adjourned at that hour.”

Mr. Outlaw moved to amend, by inserting Tuesday at 11 o'clock; Mr. Stubbs moved to strike out and insert in this amendment “three o'clock P. M.” The question was put upon this amendment to the amendment, and it was not adopted; and then the resolution was adopted, and a message sent accordingly.

Bills, etc., of the following titles were introduced, read, passed the first reading, and were otherwise ordered and disposed of as follows, viz:

By Mr. Elliott: a bill (No. 551) to authorize the Bank of Cape Fear to issue small notes.

By Mr. Outlaw: a bill (No. 552) concerning Salmon creek in Bertie county; and the rule being suspended, this bill passed also the second and third readings, and was ordered to be engrossed and sent to the Senate.

By Mr. Ogburn: a bill (No. 553) to amend the charter of the Western Railroad Company.

From the Senate: a joint resolution (No. 554) in favor of James Roberts, sheriff of Rockingham; and the rule being suspended, this resolution passed also the second and third readings, and was ordered to be enrolled.

From the Senate: a joint resolution (No. 555) concerning the Senate archives; this resolution being first amended

On motion of Mr. Settle,

So as to include the assistant clerk of the House, passed the second and third readings.

*Ordered*, That it be enrolled.

From the Senate: a bill (No. 556) to charter Columbus Normal School.

From the Senate: a bill (No. 557) to charter the Asheville Gaslight Company;

On motion of Mr. Outlaw,

The rules were suspended, and the engrossed bill from the Senate (No. 542) for the relief and maintenance of the Insane Asylum, passed the second and third readings.

*Ordered*, That it be enrolled.

Mr. Elliott moved that the bill (No. 551) to authorize the Bank of Cape Fear to issue small notes be read the second time, and it was not adopted.

H. 11, to charter the Bank of Concord, was,

On motion of Mr. Outlaw,

Laid upon the table.

By message from the Senate, the House were informed of the passage in that body of H. R. 501, in favor of Alexander Johnson, sheriff of Cumberland, with an amendment striking out the name of M. L. F. Redd; and the question being, Shall the House concur? it was concurred in.

Mr. Jenkins moved the rule be suspended, and the resolution (H. R. 360) in favor of John M. Morehead and Wm. H. Arendell reconsidered, and it was not adopted.

H. 48, to charter the Moore and Montgomery Plankroad Company; the question being, Shall this bill pass the second reading? was put, and decided in the negative.

H. 81, to amend the constitution concerning taxes; and the question being, Shall this bill pass the second reading? was put, and

Decided in the negative—Yeas ..... 29

Nays ..... 57

On motion of Mr. Foster,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Caldwell, Clarke, Crump, Dargan, Elliott, Ferebee, Foster, Gaither, Gilliam, Hackney, Jennett, Leach, Leitch, Little, Mann, March, Martin, Meares, Ogburn, Pickett, Richardson, Scott, Siler, Speer, Stiles, Stubbs, Waddill and White of Cabarrus.

And the following in the negative, viz:



NAYS.—Messrs. Badham, Barnes, Bethea, Bledsoe, Blow, Bridgers, Bynum, Bullock, Cansler, Dancy, Davidson, Dills, Glass, Green, Hall, Hargrove, Hester, Hill of Stokes, Holmes, Jarvis, Jenkins, Johnston, Jones, Kelly, Lewis of Wake, Lewis of Nash, Long, Love, Lyon of Orange, Lyon of Granville, Mason, Masten, Matthews, Montgomery, Moore, Outerbridge, Parker, Patterson, Pitchford, Ramsour, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Settle, Speight, Stewart, Strayhorn, Tate, Tomlinson, Toms, White of Sampson, Whitson, Williamson and Withers.

A message from the Senate here announced the passage in that body of the engrossed House bill No. 103, to amend the R. C., chapter 120, title Wrecks, with an amendment, and the amendment was concurred in.

The House resumed the calendar, when the following entitled bills being read, passed the second and third readings and were ordered to be engrossed and sent to the Senate, or otherwise disposed of as follows, viz:

H. R. 127, in favor of John H. Jones, of Cherokee.

H. R. 195, in favor of William Beale, of Cherokee.

H. R. 239, in favor of Wm. H. Gilliam, of the county of Granville, was laid upon the table.

H. 284, to repeal the R. C., chapter 84, title Asylums, was laid upon the table.

H. 366, to repeal the R. C, chapter 61, title Internal Improvements, s. 37, did not pass the second reading, the question thereon being put and

Decided in the negative—Yeas .....	18
Nays .....	62

On motion of Mr. Davidson,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Caldwell, Cansler, Clarke, Davidson, Dills, Hall, Hester, Leach, Matthews, Ogburn, Rankin, Routh, Rushing, Scales, Scott, Settle, Speer and White of Cabarrus.

The following voted in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bethea, Bledsoe, Blow, Bridgers, Bynum, Bullock, Dancy, Dargan, Elliott, Ferebee,

Foster, Gaither, Gentry, Gilliam, Glass, Green, Hackney, Hargrove, Hill of Stokes, Houck, Holmes, Jarvis, Jenkins, Jennett, Johnston, Jones, Kelly, Leitch, Lewis of Wake, Lewis of Nash, Little, Long, Love, Lyon of Orange, Lyon of Granville, Mann, March, Martin, Mason, Masten, Meares, Montgomery, Moore, Outerbridge, Parker, Patterson, Pitchford, Reeves, Sauls, Siler, Slaughter, Speight, Stewart, Stiles, Strayhorn, Tomlinson, Toms, White of Sampson, Whitson and Withers.

H. 367, to charter the Farmer's and Mechanic's Bank; the question being shall this bill pass the second reading? Mr. Caldwell moved to amend by striking out all after the enacting clause and inserting the following:

"1. *Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same,* That a bank shall be established in the State of North-Carolina, the capital stock of which shall not exceed four millions of dollars, divided into shares of fifty dollars each.

"2. *Be it further enacted,* That the bank so established shall be known and styled the People's Bank of North-Carolina, and the subscribers are hereby created and made a corporation and body politic, in law and in fact, by the name and style of the People's Bank of North-Carolina, and shall so continue until the first day of January, A. D., one thousand eight hundred and seventy-nine; and by the name and style aforesaid, they shall be, and are hereby made able and capable in law to have, purchase, secure, possess, enjoy and retain to themselves, their successors and assignees, lands, tenements, rents, hereditaments, goods, chattels and effects, to an amount not exceeding eight millions of dollars, exclusive of the capital stock aforesaid; and the same to sell, grant, demise, alien and dispose of; to sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in courts of record, or any other place whatsoever; and also, to make, have, hold and use, a common seal, and the same to create, alter, amend or renew, at their pleasure; and also, to ordain, establish, and put in execution, such by-

laws, ordinances and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to the laws of the State, or of the United States, and for the making whereof, general meetings of the stockholders may be called by the directors in the manner hereinafter specified; and generally to do and execute all acts, matters and things, which a corporation or body politic in law may or can do, or lawfully execute, and be subjected to the rules, regulations, restrictions and provisions hereinafter prescribed and declared.

"3. *Be it further enacted*, That the State shall be entitled to subscribe for forty thousand shares, or two millions of dollars of the capital stock of said bank, and individuals may subscribe for the remainder of the capital stock of the said bank on the terms and conditions hereinafter specified.

"4. *Be it further enacted*, That books for receiving subscriptions in said bank shall be opened in the city of Raleigh, on the first Monday of April, one thousand eight hundred and fifty-seven, by George W. Mordecai, James B. Shepard, L. O'B. Branch, Thomas J. Lemay, D. W. Courts, Alfred Jones, Sion H. Rogers, W. W. Holden, Henry W. Miller and M. A. Bledsoe; at Beaufort, on the same day, by Benjamin L. Perry, Isaac Ramsey, J. P. C. Davis, Thomas Duncan, James Rumley, John Rumley and Benjamin Leecraft; at Newbern, on the same day, by W. H. Pearce, H. G. Cutler, Amos Wade, D. W. Dudley, Emet Cuthburt and Raymond Costic; at Kinston, on the same day, by John C. Washington, Walter Dunn, Henry F. Bond, Pinkney Hardey, John H. Peoples and J. W. Cox; at Goldsboro', on the same day, by Richard Washington, W. K. Lane, W. T. Dortch, John B. Griswold and Willis Hall; at Wilmington, on the same day, by Joseph H. F. Conner, George Davis, A. J. DeRossett, Jr., J. D. Bellamy, Joshua G. Wright, Charles D. Ellis, James F. Mullen and James Cassidy; at Smithfield, on the same day, by Ashley Sanders, P. Richardson, W. H. Hastings, Sidney Smith, L. E. Eldridge and Urias Bradley; at Chapel Hill, on the same day, by D. L. Swain, Samuel Phillips, P. McDade, Jones Watson, J. W. Kerr and Turly Jones; at



Pittsborough, on the same day, by Henry A. London, Westly Hanks, Isaac Long, John Manning and Thos. Hill; at Hillsboro', on the same day, by Edmund Strudwick, James Webb, Pride Jones, P. B. Ruffin, Lemuel Lynch, James C. Turrentine and John U. Kirkland; at Graham, on the same day, by D. A. Montgomery, Daniel Harden, John Trollinger, Edwin Holt, Thomas Sellars and Orpheus Hanner.; at Greensboro', on the same day, by Jesse H. Lindsey, John A. Gilmer, C. P. Mendenhall, D. F. Caldwell, James Sloan, W. S. Rankin and E. W. Ogburn; at Salem, on the same day, by John Reich, F. Fries, Ed. Belo, A. E. Dousenberry, D. A. Starbuck, Thos. J. Wilson and J. G. Lash; at Lexington, on the same day, by J. M. Leach, Andrew Hunt, Samuel Hargrave, Alfred Hargrave, J. Addington and J. P. Mabry; at Salisbury, on the same day, by John I. Shaver, N. Boyden, Milton Coffin, J. J. Bruner, A. Henderson, M. Brown and J. H. Jenkins; at Concord, on the same day, by Robt. W. Alison, Victor C. Barringer, C. Phifer, K. P. Harris, R. S. Young and C. N. White; at Charlotte, on the same day, by Wm. Phifer, David Parks, J. W. Osborne, Joseph Davidson, Leroy Springs and Peter Brown; at Statesville, on the same day, by Hugh Reynolds, Joseph W. Stockton, Otho Gillespie, Charles Carlton and Thos. McRorie; at Morganton, on the same day, by T. R. Caldwell, T. G. Walton, W. C. Erwin, James C. Smyth, John Calbeth and James Avery; at Lincolnton, on the same day, by C. C. Henderson, James T. Alexander, H. Cansler, H. W. Guion, John F. Hoke and Jacob A. Ramsour; at Rutherfordton, on the same day, by Toliver Davis, Benj. Washburn, A. G. Logan, W. H. Miller, R. G. Twitty and T. B. Justice; at Louisburg, on the same day, by John G. King, Dr. Willie Perry, D. C. Stone, D. W. Spivey and Peyton J. Brown; at Warrenton, on the same day, by Thomas Reynolds, John White, Philip T. Norwood, Edward W. Burt, B. E. Cook and Francis Hyman; at Tarborough, on the same day, by R. R. Bridgers, J. Norfleet, R. H. Pender, William Hart and Joseph H. Bowditch; at Weldon, on the same day, by John M. Moody, N. M. Long, sr., Dr. L. Long, James F. Simmons, James Tilghman and R.

Peterson ; at Fayetteville, on the same day, by J. G. Shepherd, John D. Williams, B. R. Huske and H. L. Myrover : and at the same time, at such other places under the superintendence of such other commissioners as may be designated by the commissioners at Raleigh. A majority of said commissioners at each of the above named places shall be competent to perform the duties of their appointment.

“ 5. *Be it further enacted*, That the public treasurer shall subscribe on the books to be opened at Raleigh, in behalf of the State, to the capital stock of said bank, forty thousand shares, of fifty dollars each, or two millions of dollars, which subscription shall become due and payable at the same time and for the same amounts, as the subscriptions made by the individual stockholders to the capital stock of the bank, and shall be paid as hereinafter provided for.

“ 6. *Be it further enacted*, That before any person shall be allowed to subscribe to the stock of the bank hereby authorized, such person shall deliver to the commissioners a certificate or certificates of stock owned by the proposed subscriber, in some of the Railroads completed or in progress of construction and located entirely within the limits of this State, to double the amount of the stock to be by such person subscribed to the capital stock of said bank, and the said commissioners shall give a receipt for all such certificates of stock when delivered, to the person or persons depositing the same.

“ 7. *Be it further enacted*, That the commissioners appointed by and in pursuance of this act for receiving the subscriptions of stock, shall report to the public treasurer every twenty days after the opening of said books, the amount of stock subscribed as hereinbefore provided : and if it shall appear by said reports that ten thousand shares or more have been subscribed by individuals to the capital stock of said bank, the franchise hereby intended to be granted shall vest, and the subscribers may thereupon organize themselves into a body politic and corporate ; and to this end the public treasurer and commissioners at Raleigh, in the event of an excessive subscription on the part of individuals, shall reduce the same according to a scale to be by them established to

the aforesaid sum of two millions of dollars, and upon a notice of twenty days, published in two or more newspapers of this State, call a general meeting of the subscribers in the city of Raleigh, or some other convenient place; and the public treasurer and two other persons, being stockholders and the owners of not less than ten shares of stock in said bank, and appointed by the Governor for that purpose, shall represent the State in said general meeting, and the three persons thus annually appointed shall continue to represent the State's stock in all the general meetings of the stockholders.

“8. *Be it further enacted*, That in all the annual general meetings of the stockholders, to be held as provided for in the preceding section of this act, eleven directors shall be chosen, all of whom shall be stockholders in said bank, and owners of not less than ten shares of its stock—*five on the part of the State, and six on the part of the individual stockholders*. The directors thus chosen at the annual meetings of the stockholders, shall have the power of electing one of the directors chosen by the individual stockholders president of the bank for the term of one year, and of appointing all other necessary officers, clerks and servants in the said principal bank; and the aforesaid directors shall be likewise authorized to appoint the directors and all other officers, clerks and servants, employed in the branches and agencies of the said People's Bank of North-Carolina: *Provided*, That no one be appointed by them to act as director in any of the branches of the bank, who is not qualified to act as director in the principal bank. The salaries of all the officers of the bank and its branches shall be determined upon and fixed by the stockholders in general meeting assembled.

“9. *Be it further enacted*, That it shall be the duty of the commissioners to furnish the president and directors, immediately after their election, the aggregate amount of subscriptions made upon their respective books, the name of each and all the subscribers, the amount subscribed by each individual, and deliver to said president and directors the certificates of railroad stock delivered to them by the aforesaid subscribers; and when the first delivery hereby required to



be made by the commissioners to the president and directors of the principal bank shall have been faithfully performed, it shall become the duty of the said president and directors to notify the public treasurer and individual stockholders to pay unto the said president and directors, or such other agent or agents as they may designate, within twenty days, ten per cent. on their respective subscriptions of stock in gold or silver coin, spanish milled dollars, mint certificates, or the notes of specie paying banks not of this State; and it shall be the further duty of the said president and directors to call for from time to time such other instalments on the subscriptions of stock in the said bank as in their judgment the interest of the corporation and the public interest may require.

10. *Be it further enacted,* That when the public treasurer shall have been informed by personal inspection, or by the affidavit of the president of the principal bank, that there has been at least ten thousand shares of the capital stock of the bank subscribed for on the part of individuals, and the certificates of railroad stock have been deposited, as heretofore required by this act, and ten per cent. on each share of the bank subscribed for on the part of individuals has been *bona fide* paid into the vaults of the bank, in such funds as required in a previous section, and that the whole amount of the payments, made as aforesaid, is at that time in the actual possession of the said president and directors as the property of the bank, it shall then become the duty of the public treasurer, and he is hereby authorized and required to pay the same per cent. on the same amount of the State's subscription to the capital stock of the bank. And it shall become the said public treasurer's further duty, so soon as he has made the first payment on the State's subscription to the bank, to countersign and deliver over to the president and directors of the aforesaid corporation, blank notes duly prepared as hereinafter provided for, for discount and general circulation, to double the amount of the first instalment paid into the vaults of the bank as heretofore required by this act, both on the part of the State and the individual stockholders of the bank. When the first instalment of blank notes shall

be countersigned as heretofore provided for, and paid over to the president of the bank by the treasurer, it shall be lawful for the said bank to commence operations as a bank of discount, deposit and circulation, and not before.

“11. *Be it further enacted*, That whenever any other instalments shall have been called for, and paid on any individual subscriptions made to the capital stock of the bank as above provided for, and the fact shall have been made known to the Public Treasurer, in the manner heretofore provided for, it shall be his duty, and he is hereby required to pay in on the State's subscription the same per cent. on the same amount of stock subscribed by the State, and shall thus continue to pay in one instalment after another, until the entire subscription to the capital stock of the bank has been called for and received.

“12. *Be it further enacted*, That no bill or note shall be put in circulation by said bank as a substitute for money, before the same shall have been countersigned by the Public Treasurer; and no note, check, order, draft or promise to pay money, shall be issued, drawn, made, or put in circulation by the bank, of a denomination less than one dollar: *Provided*, That said bank, shall, at no time, have more than ten per cent. of its circulation in bills or notes, of a less denomination than five dollars: *And provided further*, That the General Assembly may, at any future session, forbid the issuing or circulation of bills, notes, checks, orders, promises or drafts, for a less sum than five dollars.

“13. *Be it further enacted*, That to prevent an over issue by the bank, the Public Treasurer shall, at no time, countersign the bills or notes of said bank, for a greater amount than double the capital stock actually paid in; but he may, and he is hereby required from time to time to receive from the president and directors of said bank, and burn, or otherwise destroy, in their presence, all mutilated bills or notes of said bank, and countersign for circulation an equal amount of other bills or notes, which they may present for that purpose.

“14. *Be it further enacted*, That the president and directors of said bank shall call on the Public Treasurer for pay-

ments to be made on the State's subscription, in the same manner as calls are to be made for payments on the stock subscribed for by the individual stockholders; and to meet said payments, the Public Treasurer shall issue the bonds of the State, bearing six per cent. interest, payable semi-annually to the bearer, with coupons attached, the principal whereof shall be due and payable to the bearer, on the first day of January, A. D. 1882, and deliver the same to the president and directors of said bank, which bonds may be hypothecated, sold or otherwise used or appropriated by them as the interest and exigencies of the bank shall and may require; and the same pledges and securities are hereby given to the holders of said bonds for their prompt and faithful redemption, and in addition thereto, all the stock held by the State in the bank hereby created, shall be, and the same is hereby pledged for that purpose, and any dividends of profit which may be from time to time declared on the stock held by the State as aforesaid, shall be applied to the payment of the interest accruing on said bonds; the interest on which is to be made payable at the principal bank or some one of its branches, to be designated by the Public Treasurer in the face of said bonds; but until such dividends of profit may be declared, it shall be the duty of the Treasurer, and he is hereby authorized and directed to pay all such interest, as the same may accrue, on the debt created by this act, out of any money in the treasury not otherwise appropriated.

“15. *Be it further enacted*, That the president and directors shall publish the call for all such payments, as in their judgment, the interest of the bank may require, in two or more newspapers in this State for the space of twenty days, and on failure of any stockholder to pay the instalment thus required, the directors of the principal bank may sell, at public auction, on a previous notice of twenty days, for cash, all the stock and interest of the stockholders so failing to make payment, and also all the stock in the different railroads, the certificates whereof have been pledged and deposited in pursuance of this act, and convey the same to the purchaser at the sale, or as soon thereafter as convenient, by making the



necessary entries required to effect this object on the books of the bank ; and so much of the proceeds of the sale as may be necessary to pay the instalment due and called for, shall be retained by the president of said bank, and applied to the credit of the purchaser on the said stock, and the surplus, if any, shall be paid over to the delinquent stockholder, whenever he delivers up the receipt for the certificate or certificates of railroad stock, deposited and heretofore authorized to be given to him by this act, and it is hereby made the duty of the president of the bank, so soon as the aforesaid receipt is delivered up by the delinquent subscriber, or a transfer of the stock sold is made on the books of the bank, to give the true and lawful purchaser and owner of the stock in the bank and railroad company or companies, a receipt for the railroad certificates then on deposit for the benefit of the bank, and immediately thereafter to notify the secretary of the railroad company or companies, the certificates of the stock of which have been deposited, sold and transferred, as authorized and required by this act, what stock in said company or companies has been sold, and who has become the purchaser, and holds a valid receipt therefor.

“ 16. *Be it further enacted*, That no stock in the bank hereby created shall be transferred by the original subscribers, until the first instalment has been called for and paid in the manner heretofore provided ; all the transfers and assignments thereafter made of the stock in said bank, shall be made on the books of the company, to be kept in the principal bank for that purpose, and in the manner following, to wit :—any person wishing to make a transfer or an assignment of his or her stock, shall deliver to the president of the bank the receipt heretofore required to be given for the certificate or certificates of railroad stock he or she has previously deposited with the company, and now intended to be transferred ; and when the said receipt shall have been delivered up and cancelled, it shall then become the duty of the president of the bank to give a similar receipt for the said certificate or certificates of stock to the person purchasing the stock in the aforesaid bank and railroad companies ; and whenever any stock shall have

been transferred as aforesaid, the president of the bank shall forthwith give notice thereof to the secretary of the railroad company, the stock of which has been thus sold and transferred.

“17. *Be it further enacted*, That the public treasurer, for the discharge of the duties imposed upon him by this act, shall be paid annually by the said bank such salary or compensation as may be deemed just and proper by the Governor, Comptroller, president and directors of the principal bank, due regard being had to the labors performed, and responsibilities assumed by the said officer.

“18. *Be it further enacted*, That branches or agencies of said bank may be established in all the places where branches for the procuring of capital stock of the said bank have been authorised to be opened by this act, and at such other places as the stockholders in general meeting may designate, with such capital at branches or agencies as the directors of the principal bank may assign, which shall be removeable at their pleasure, after one year's notice of such intended removal; and the president and directors of the principal bank, for the time being, shall have power to appoint five directors for each branch bank, as well as at the several agencies which shall be necessary for executing the business of said corporation; and shall be capable of exercising such other powers and authorities for the proper government and well ordering of the officers of their said corporation, as shall be prescribed, fixed and determined by the by-laws, rules, regulations and ordinances of the same.

“19. *Be it further enacted*, That the dividends of profits of the bank shall be made semi-annually, and the dividends of profits on the shares of stock owned by the State, after the payment of the debt hereby created shall be applied as a sinking fund, in such manner as the Legislature may hereafter direct for the payment of the debts of the State heretofore incurred in the construction of various railroad improvements previous to the passage of this act.

“20. *Be it further enacted*, That it shall be the duty of the president of the principal bank, quarterly, and oftener

if required by the Legislature, to transmit to the Public Treasurer a full and accurate statement of the condition of the bank, showing the amount of capital, notes in circulation, from what place issued, debts due other banks, and what banks, and also all other particulars necessary to show the true condition of the debtor side of the account, also specie on hand, debts due from other banks, and what banks, amount of notes on hand discounted, and bills of exchange, showing in one item the amount due from directors, and in another the amount due from stockholders, (but in no case using the name of persons) real estate, and all other particulars necessary to show the true condition of the credit side of the said accounts, which statements the public treasurer shall publish in one or more newspapers, and shall lay before the General Assembly in his official reports.

22. "*Be it further enacted*, That the president or cashier of said bank shall annually pay into the treasury of the State thirty cents on each share of said capital stock, which have been subscribed for and paid in, and the first payment of said tax shall be made twelve months after said stock shall have been subscribed and paid; and the General Assembly reserves to itself the power, whenever it shall be deemed necessary, to increase said tax to a sum not exceeding one dollar on each share of said capital stock: *Provided*, That this or any other General Assembly shall have the power to tax the dividends—said tax shall not exceed the tax on the interest of money loaned.

23. "*Be it further enacted*, That if any president, clerk or other officer of the bank, or any of its branches or agencies shall knowingly and willingly make, cause to be made, or connive at making any false return, statement or exhibit of the condition of the bank, its branches or its agencies, or to the stockholders, or to any person or persons authorized by the Legislature or by the stockholders to receive the same, such person or persons offending, their aiders and abettors in such false return or deception, shall be deemed guilty of a misdemeanor, and on conviction in any superior court of law in this State, shall be punished by fine and imprisonment, at



the discretion of the court; nor shall any one offending against the provisions of this act be released from prison till all fines imposed upon him by the court have been fully discharged.

24. "*Be it further enacted*, That it shall be lawful at all times for any committee appointed by the Legislature for the purpose, to inspect the books and examine the proceedings of the said corporation, and make a report thereon. The said committee shall have the power to send for persons and papers if they deem it necessary to a full and fair investigation of the concerns of the said bank; but in no case shall they be authorized to examine into the private accounts of individuals, except of the directors of the principal banks and its branches.

25. "*Be it further enacted*, That all the stockholders shall be entitled to vote either in person or by proxy at all general meetings of the stockholders, and the vote shall be in the proportions following: that is to say, one share and not more than two, one vote; for every two shares above two, and not exceeding ten shares, one vote; for every four shares above ten, and not exceeding thirty, one vote; for every six shares over thirty, and not exceeding sixty, one vote; for every eight shares over sixty, and not exceeding one hundred, one vote; for every share over one hundred, and not exceeding two hundred, one vote; and for every twenty shares over two hundred, one vote.

26. "*Be it further enacted*, That none but a citizen of the State shall be eligible as a director who is otherwise qualified to act as such, and no officer, clerk, or agent of said corporation shall be entitled to receive any emoluments from the said bank, unless the same shall be allowed by the stockholders at a general meeting, or by the board of directors of the principal bank.

27. "*Be it further enacted*, That a majority of the directors of the principal bank, or any three of the directors at the branches or agencies, shall constitute a board for the transaction of business, of whom their respective presidents shall be one, except in cases of sickness or necessary absence, when his place may be supplied by any other director whom

he may by writing nominate for the purpose; and in case no such nomination be made, the board present may elect a president for the time.

“28. *Be it further enacted*, That a number of the stockholders, not less than fifty, who, together shall be the proprietors of at least five hundred shares of stock, shall have power at any time to call a general meeting of the stockholders for purposes relating to the institution, giving at least six weeks previous notice, in two or more newspapers, published in the State, specifying in said notice, the object or objects for which such meeting is called.

“29. *Be it further enacted*, That every cashier and agent, before he enters on the discharge of his duties as an officer or agent of the bank, shall be required to give bond and security in a sum not less than thirty thousand dollars, conditioned for his good behaviour and faithful discharge of all the duties of his office.

“30. *Be it further enacted*, That if any cashier or other officer, servant, or agent of the corporation, shall embezzle or fraudulently convert to his own use, or shall fraudulently take or secrete, with intent to convert to his own use, any effects or property belonging to, and in possession of the corporation, or belonging to any person and deposited in the bank, or any of its branches or agencies, or shall make or cause to be made any false entries on the books which contain any of the proceedings or transactions of the corporation, with intent to defraud the corporation or any person whatsoever, such officer, agent or servant so offending, shall be held and deemed guilty of felony; and upon conviction thereof in the superior court of law, shall be punished by fine and imprisonment not exceeding five years, and putting in the pillory, all or any of them, at the discretion of the court.

“31. *Be it further enacted*, That the lands, tenements and hereditaments, which it may be lawful for said corporation to acquire, shall be such only as shall be deemed requisite for its immediate accommodation for the transaction of business, and such as have been *bona fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously

contracted in the course of ordinary banking business, or purchased at sales upon judgments, or decrees rendered in favor of said bank.

“32. *Be it further enacted*, That the bills obligatory and of credit under the seal of said corporation, which shall be made to any person or persons, shall be assignable by endorsement thereon, under the hand or hands of such person or persons, and of his, her or their assignee or assignees, to bring and maintain an action thereon in his, her or their own name or names; and bills or notes which may be issued, signed by the president and cashier of the principal bank, and countersigned by the Public Treasurer, promising the payment of money to any person or persons, his, her or their order, or to the bearer, though not under the seal of the said corporation, shall be binding and obligatory on the same, in the like manner, and with the like force and effect, as upon any private person or persons, if issued by him, her or them, in his, her or their natural or private capacities, and shall be assignable in like manner as if they were so issued by such private person or persons; that is to say, those which shall be payable to any person or persons, his, her or their order, shall be assignable by endorsement, in like manner, and with like effect, as foreign bills of exchange now are, and those which are payable to bearer shall be negotiable and payable by delivery only.

“33. *Be it further enacted*, That the said corporation shall not deal except in gold or silver coin, or bullion, bills of exchange, mint certificates, and promisory notes, expressing on the face of them to be negotiable and payable at the said bank or some of its branches, in the public debt of the United States, or of this State; and the said corporation shall not take more than six per cent. per annum upon its loans or discounts, which may be received in advance at the time of discount.

“34. *Be it further enacted*, That whenever the Legislature may be of opinion that the charter of the corporation hereby granted shall have been violated, it may be lawful by joint resolution to direct the attorney general with such assistant counsel as the Governor and the Legislature may think pro-



per to engage, to issue a writ of *scire facias* returnable before the Judges of the Supreme Court of the State, calling on said corporation to show cause why the charter hereby granted shall not be forfeited, subject to the same proceedings as are now prescribed by law in cases of other corporations.

“35. *Be it further enacted*, That if any person or persons holding any note of said bank, shall present the same for payment, and payment shall be refused, the said bills or notes shall draw interest at the rate of twelve per cent. per annum from the time of the said demand, and the said bank shall pay the same, any law to the contrary notwithstanding.

“36. *Be it further enacted*, That the cashier shall keep a book to contain the proceedings of the board of directors, the names of those present, the day and date of each meeting, and shall record the ayes and noes on any question when called for by any director. This book shall be evidence in courts of justice, and on entering on the discharge of his duties, the cashier shall take the following oath before some justice of the peace, by whom it shall be returned to the office of the county court of the county where the bank or branch of which he is a cashier may be situated: I, A. B., do solemnly swear to keep a just and true record, without alterations or erasures, of the transactions of the board of directors of the People’s Bank of North-Carolina [or of the branch of the People’s Bank of North-Carolina, as the case may be] in a book to be kept by me for that purpose.

“37. *Be it further enacted*, That the bank shall, at all times when required, receive on deposit at the principal bank, or any of its branches or agencies to the credit of the treasurer of the State, or any of the railroad companies, the stock of which is deposited with the treasurer, as collateral security for the redemption of the issues of the aforesaid bank, as much money as he or they may propose to deposit: *provided*, the same be in such funds as the bank at the time is receiving from individual depositors.

“38. *Be it further enacted*, That if the public treasurer, knowingly, wilfully, or fraudulently violate any obligation imposed upon him by the provisions of this act, and be

thereof convicted by the regular course of the law, he shall be fined and imprisoned at the discretion of the court.

“39. *Be it further enacted*, That the private property of the individual stockholders to the amount of their stock, together with the railroad stock, the certificates of which have been deposited by the individual stockholders with the public treasurer, shall be deemed and held liable in law and in fact, for all debts of said bank, and the faith and credit of the State shall be, and the same is hereby pledged for her relative part of the debts of the said corporation.

“40. *Be it further enacted*, That if the corporation shall be organized on an individual subscription of less than two millions of dollars, the president and directors shall, from time to time, receive further subscriptions, as the same may be proposed by individuals, upon the same terms and conditions hereby imposed on original subscribers, by their paying an equitable and ratable portion for any surplus earnings which may have accumulated from the operations of the bank upon the capital stock previously subscribed.

“41. *Be it further enacted*, That no officer of any railroad or other incorporated company shall be eligible to any office in the People's Bank of North-Carolina, or any of its branches, nor shall any officer, clerk or servant in the employ of said bank or any of its branches, be allowed to act as proxy, or cast the vote of any stockholder in any meeting of the corporation, nor shall servants, clerks or other officers of the said institution, receive any fees, emolument or reward for procuring, under any pretence, discounts, or for the renewal of notes that have been discounted at the counter of the principal bank or any of its branches, under the penalty of fifty dollars for each offence, and subjecting himself to be dismissed by the directors of the bank, or any branch where such offence may have been committed.

“42. *Be it further enacted*, That all bills or notes issued, and put in circulation by the bank hereby created, under the denomination of five dollars, shall be redeemable in gold or silver, at the principal bank or any of its branches or agencies, when the same may be presented for payment, though

it be directly otherwise expressed on the face of the aforesaid bills or notes.

“43. *Be it further enacted*, That the stockholders in their first general meeting, held under the provisions of this act, for the purpose of organizing the People’s Bank of North-Carolina, shall have the power to locate the principal bank at such place as a majority of the said individual stockholders may determine.

“44. *Be it further enacted*, That whenever the said bank hath any demands upon any person or corporation, it shall be lawful for said person or corporation to pay and discharge such demands in the notes of said bank without regard to the place where the same may be made payable and demandable, and the tender of such notes in payment or discharge of any such demand or any part thereof, shall be good and available in law.

“45. *Be it further enacted*, That all the dividends of profit accruing on the railroad stock, the certificates of which shall be deposited with the Public Treasurer, in pursuance of this act, as collateral security for the redemption of the circulation of the bank hereby created, shall be deemed due and payable to the persons depositing the same as may be authorised or directed by the proper officers of the several railroad companies in which the said depositors are legal stockholders.”

This amendment is the same which under the name of the “amended bill to charter the People’s bank” had been already reported to the House, and upon which the following report had been submitted, viz :

“The undersigned, a minority of the committee to whom was referred the above bill, upon its second reading, for revision and correction, would respectfully submit the following reasons which induce them to dissent from the report of the majority of the said committee, and recommend to this House that the bill as revised and corrected do not pass.

“To say nothing of the details of the bill, some of which are novel and unsanctioned, by examination we believe and insist that the principle of the bill is fundamentally and radically



wrong, and will be unjust in its practical bearing upon by far the largest portion of the citizens of North-Carolina.

“The bill, though headed with the specious and delusive name of the People’s Bank of North-Carolina, might be called and known by any other name as well ; since it does not by any means propose to confer the great and sovereign privilege of banking upon the people of the State, but proposes to give this privilege alone to the railroad stockholders of the country who may be citizens of other States provided they own railroad stock in this State, and in this way not only making a discrimination among classes of our own citizens, but actually preferring the railroad stockholders of other States who own such stock in this State over meritorious citizens of North-Carolina.

“Believing, as the undersigned do, that it is the duty of every Legislative body to give equal justice to all citizens of the commonwealth, and special favors to none, they, therefore, cannot support, and protest against the passage of this bill, which selects and discriminates in favor of the railroad stockholder to the exclusion of any other patriotic and meritorious tax paying citizen of the State.

“Why grant this exclusive privilege to a particular class of individuals? Why show this favoritism to railroad stockholders? While we frankly admit that they are worthy and enterprising sons of the State, we must at the same time insist that there are others of whom North-Carolina, like the mother of the ‘Gracchi,’ may and will say, ‘these are my jewels’ also.

“That we may not be mistaken in regard to the claims of both upon the generosity and favor of the State, let us examine the relative claims of the railroad stockholder, who is a citizen of the State, (to say nothing of him who is a citizen of another State, and may be interested in the passage of this bill,) and compare them with the claims of the citizen who owns no such stock. We are told that the former is entitled to special favor because he has shown a more laudable spirit of enterprise, and a purer patriotism, because he has contrib-

uted of his substance and exerted his energies to develop the resources and promote the prosperity of the State.

“How much more deserving is he than the industrious and skilful tiller of the soil, the transportation of whose produce, the fruit of his honest labor and toil, give profit to the railroad stockholder and credit to the State.

How does it happen that the common carrier has grown greater and worthy of higher consideration and favor than he who sends him on an errand?

“It is not to be denied that self-interest, the mainspring of human action, has prompted, to a greater or less extent, the railroad stockholders to engage in schemes of internal improvement; they, like other men, look for profit from their labor, for remuneration and reward. Those persons who took stock in the Raleigh and Gaston Railroad, in the Wilmington, Road, and in the North-Carolina Central Railroad, lived for the most part along the contemplated route of those respective roads, or adjacent thereto. They were not unconscious of the increased value these roads would give to their real estate, nor of the profit arising from the facility and cheapness with which their produce would reach market, and their yearly supplies be brought to their doors. In most instances they have realized their expectations—their lands have been enhanced in value from twenty-five to fifty and one hundred per cent., leaving out of view the saving in the way of freight, and the profits arising from semi-annual dividends upon stock in favor of this class of individuals. We contend that as a class, even upon the supposition that these works of internal improvement had been begun and completed through motives of patriotism alone, and without the aid of the citizens of the State at large, they have been the gainers by the operation, with the exception of the original stockholders of the Raleigh and Gaston Railroad, who *lost all they risked*, and by this bill are excluded from the privilege of taking stock in the so-called “People’s Bank of North-Carolina.”

“But the present holders of stock in the railroad of North-Carolina, to whom, par excellence, this bill gives the preference, are not men who have invested their money in internal

improvements from motives of patriotism and State pride alone. Many of the stockholders on these roads paid their stock in work done upon contract, from which it is fair to presume they received the value of their labor. There is a large number of the stockholders in the Raleigh and Gaston Railroad, who, since its reconstruction, from motives purely of speculation and profit, have purchased stock in that road for \$60 or \$70 per share, and are now realizing handsome percentage upon their investments, while the original stockholder has actually made a donation to internal improvement of \$30 and \$40 per share—yet the former, under the operation of this bill, a trader and dealer in stocks, is made the recipient of the State's peculiar favor, while the latter, more patriotic and self-sacrificing, is coldly thrust aside, and denied the privilege of banking. The same is doubtless true, and may be said with equal propriety of the stockholders in the Wilmington road.

“We know that the stock in the N. C. Central Railroad, in no small amounts, has been sold at public auction for \$30 and \$40 per share, and purchased by dealers in stocks, actuated alone by the hope of gain. In this case, as in the above, he who has actually given a boon to the State of \$60 or \$70 per share on his stock, is excluded, while the stockjobber and speculator is preferred.

“It will also be remembered that the citizens of the State at large, by the honor and plighted faith of the State, are bound for two-thirds of nearly all the railroad stock in North-Carolina. The bonds of the State are outstanding for this stock. They must be redeemed, or her fair fame tarnished. We spurn the thought of repudiation! Who, now, is to pay this debt? The citizens of the State generally must pay by far the larger share of it. The tax collector in 1885, and before that time, will visit each humble cottage in the sand hills and mountain ravines of North-Carolina. The citizen of Currituck must pay his two-thirds for internal improvement, though no iron railway stretches over his soil—though his land has not been increased in value, and the winds of heaven and the blue sea still bear his produce to market. The citi-



zen of Cherokee, through whose borders the startling whistle of the steam engine has not and may never be heard to wake into life and activity the drowsy energies of its people, must pay his two-thirds of the debt incurred on account of railroads; yet when the books for subscription of stock under this charter are opened, neither he nor any other citizen of the State, who does not own railroad stock, will be permitted to subscribe for one share of stock in the "People's Bank of North-Carolina."

"The policy of chartering a bank with four millions of capital stock and a circulation of eight millions may be one of doubtful propriety, considering the fact that there are at this time in the State, bank charters with a capital stock amounting in all to eight millions of dollars, and of this amount of chartered bank stock there remain one million and a half yet to be taken. This chartered bank capital, upon an issue of three for one, would give the State a circulating medium of twenty-four millions of dollars, a circulation which, in view of our area and our commerce, compares favorably with that of any Southern State.

"We are told, however, by the friends of the People's Bank that it will be the means of bringing the railroad stock of the State to and above par. On the contrary, we are of opinion that the only way in which railroad stock can become profitable is by the transportation of passengers and freight along the line of the road; if these sources of profit are wanting the evil is without a remedy, and the union of depreciated railroad stock with paying bank stock can only have the disastrous effect of dragging down the latter and giving to the country a depreciated and worthless currency. For these reasons and others that may not be here given, the undersigned respectfully recommend to this House that the bill to charter the People's Bank of North-Carolina do not pass its third and last reading.

WM. F. GREEN,  
M. A. BLEDSOE."

And this amendment being read, the question was first put upon the motion to strike out, and it was not adopted.

Yeas .....	20
Nays .....	55

On motion of Mr. Caldwell,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Benbury, Caldwell, Crump, Elliott, Foster, Gaither, Jarvis, Leach, Lewis of Wake, Lyon of Orange, Mann, March, Mason, Ogburn, Scott, Slaughter, Speer, Toms, Waddill and White of Cabarrus.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Bledsoe, Blow, Bridgers, Bynum, Bullock, Cansler, Cox of Perquinons, Dancy, Dargan, Davidson, Dills, Glass, Green, Hackney, Hargrove, Hester, Hill of Stokes, Holmes, Jenkins, Johnston, Kelly, Lewis of Nash, Little, Long, Lyon of Granville, Masten, Matthews, Meares, Montgomery, Moore, Outlaw, Outerbridge, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rand, Rankin, Reeves, Routh, Rushing, Sauls, Scales, Settle, Speight, Stewart, Tate, Tomlinson, White of Sampson, Williamson and Withers.

So the motion to strike out did not prevail, and the question recurred upon the bill, and was put and decided in the negative.

H. 369, to exempt the bonds of Craven, Carteret and Lenoir counties from taxation ; the question being, Shall this bill pass the second reading? Mr. Meares moved to strike out the names of the several counties named and insert so as to make the bill apply to "all county bonds." Mr. Bledsoe moved to lay the bill and amendment upon the table, and the motion was put and adopted.

The following entitled bills, etc., upon the calendar for the second reading, then being read, passed the second and third readings respectively, and were ordered to be engrossed and sent to the Senate, or were otherwise disposed of, as is of them respectively stated, as follows, viz :

H. 371, to amend the L.L. 1852-'53, chapter 151, concerning roads in Ashe, s. 3.

H. 373, to prevent the felling of timber in Dutchman's Creek, in the county of Davie.

H. 372, to amend the R. C., chapter 88, title Processioning, s. 1, did not pass the second reading, but was rejected.

H. 376, to charter the N. C. Piedmont, etc., Company, was,

On motion of Mr. Outlaw,

Postponed until the 4th March.

H. 378, concerning Executors and Administrators, passed the second reading, and was then laid upon the table.

H. 379, to extend the powers of the Mayor of Charlotte, did not pass the second reading, but was rejected.

H. 384, to charter the bank of Lexington, was,

On motion of Mr. Outlaw,

Postponed until the 4th March.

H. 385, to charter the N. C. Gas Coal and Transportation Company, did not pass the second reading, but was rejected.

H. 386, to charter the Vulcan Mining and Manufacturing Company.

H. 387, to charter the Tuscarora Mining and Manufacturing Company.

H. 388, to charter the Excelsior Mining and Manufacturing Company.

H. 389, to establish a public road in Yancy and Burke counties.

Mr. Slaughter moved the rule be suspended, and

H. 492 read the second time, and it was not adopted.

Mr. Meares moved the rule be suspended, and (H. 385) the bill to charter the N. C. Gas Coal and Transportation Company, reconsidered, and it was so ordered; thereupon, the bill was read and passed the third reading, and was ordered to be engrossed and sent to the Senate, as also the following, where not otherwise stated, viz:

H. 390, to amend R. C., chapter 34, title Crimes and Punishments, did not pass the second reading, but was,

On motion of Mr. Leach,

Indefinitely postponed.



H. 391, to regulate the fees of clerks and masters upon the sale of real estate.

H. 392, to charter the Carolina City Steam Navigation Company.

H. 393, concerning sales of real estate by sheriffs, did not pass the second reading, but was postponed until the 4th March.

H. R. 399, in favor of the survivors of the war with Mexico being first amended, on motion of Mr. Ferebee, so as to include the survivors of the war of 1812.

H. 403, to revive and amend an act in favor of William R. Abbott.

H. 404, to increase the fees of surveyors.

H. 407, to charter Magnolia Institute in the county of Duplin.

H. 408, to fill vacancies in the board of road commissioners in the counties of Wilkes and Caldwell.

H. 409, to charter the Bank of Rockford, in the county of Surry, was, on motion of Mr. Masten, laid upon the table.

H. R. 411, in favor of a census in the county of Ashe.

H. 412, to amend the charter of the Yadkin Navigation Company was, on motion of Mr. Green, postponed until the 4th of March.

H. R. 414, in favor of John White was, on motion of Mr. Masten, laid upon the table.

H. 415, to pay justices of the peace for taking tax lists was on motion of Mr. Strayhorn, indefinitely postponed.

H. 418, to lay off a public road in Yancy and Burke.

H. 419, to emancipate Samuel Morphis of Alamance county was, on motion of Mr. Bledsoe, indefinitely postponed.

H. 421, to charter the Newberne Light Infantry Company.

H. 423, to amend the L.L., 1852, title Civil Process did not pass the second reading but was rejected.

H. 424, to extend the terms of the superior courts in the third judicial circuit was, on motion of Mr. Outlaw, referred to a special committee consisting of Messrs. Outlaw, Bridgers, Jenkins, Lewis and Green.

H. 430, to change the term of the county court of Ashe.

S. 534, concerning Joshua Small and wife Polly and others.  
*Ordered*, To be enrolled.

H. 431, to protect mechanics and artizans was, on motion of Mr. Leach, indefinitely postponed.

The Speaker signed the following enrolled bills reported by the committee to be diligently compared with the original, and found to be truly enrolled, viz:

H. 8, to amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company.

H. 310, to create a sinking fund.

S. 353, to amend the charter of the Cheoih Turnpike Company.

S. 352, concerning the N. C. Railroad coupon bonds.

H. 222, concerning certain pilots.

S. 546, to establish the standard weights of grain, etc.

S. 359, to authorise the examination of the wife in certain cases.

S. R. 547, to authorise the Public Treasurer to borrow money.

H. 117, to prevent the sale of spirits near the Western N. C. Female Academy.

S. R. 457, in favor of Alexander Johnson, sheriff of Cumberland.

H. 244, to charter the Garysburg and Windsor Railroad Company.

S. 425, to amend the R. C., chapter 17, title Cattle, s. 7.

H. 94, to extend the powers of the Roanoke Valley Railroad Company.

H. 197, to charter the Albemarle and Suffolk Railroad Company.

H. R. 288, concerning copies of the Revised Code and acts of Assembly.

H. 375, to charter the town of Gatesville, in the county of Gates.

H. 56, concerning the common schools of N. C.

H. 34, to cede Mt. Tirzah to the United States.

H. 96, to charter the York Collegiate Institute.

H. 98, to amend the R. C., chapter 99, title Revenue, s. 60.

- H. R. 525, concerning the principal clerks.  
S. 519, concerning the Bank of Cape Fear.  
H. R. 526, concerning the statue of Washington.  
S. 515, to amend the charter of the Western N. C. Railroad.  
H. 298, to charter the town of Albemarle.  
H. R. 210, in favor of P. H. Dozier, of Currituck.  
H. R. 259, in favor of J. M. Lovejoy.  
H. R. 543, in favor of Samuel Williams and others.  
H. R. 508, concerning the Executive Mansion.  
H. 292, to amend charter of Carolina Female College.  
H. 320, in favor of wardens of the poor in Rutherford.  
H. R. 495, in favor of literary board.  
H. 377, to repeal an act concerning the superior courts of Robeson county.  
H. 234, concerning the superior courts in Granville.  
H. R. 149, in favor of Joseph Clarke.  
H. 130, to amend the charter of Graham.  
H. R. 145, in favor of Thomas Wylie.  
H. R. 499, concerning further distribution of Emmons' Report.  
S. 497, to charter the American Exchange and Mining Company.  
S. 396, to amend and repeal R. C., chapter currency, ss. 6 and 7.  
S. 397, to regulate the fishing with seines in North river.  
S. R. 426, in favor of James Melvin.  
S. 374, to extend time for payment of bonds of Seaboard and Roanoke Railroad Company.  
H. 225, to amend the charter of the Atlantic and N. C. Railroad Company.  
H. 357, to charter the Warrenton Female College.  
H. 238, to amend the charter of the town of Clinton.  
S. 522, to provide for distributing the literary fund.  
S. R. 485, in favor of E. D. Davis, sheriff of Jackson.  
S. 445, to charter Stricklandsville.  
H. 350, to charter the Mountain Railroad Company.  
S. 452, to charter Shepherd's Point Land Company.



S. 453, to amend charter of Indian Grave Turnpike Company.

S. R. 267, in favor of Sarah Charlton.

S. 358, to charter N. C. Gas, Coal and Transportation Company.

S. 520, concerning the Albemarle and Chesapeake Canal.

And the House being informed that the Senate concurred in the proposition to adjourn on Wednesday next, at 5 o'clock, A. M., resumed the calendar, when the following bills and joint resolutions passed the second and third readings and were ordered to be engrossed and sent to the Senate, or were otherwise disposed of as follows, viz :

H. 446, to charter the Tau River Navigation Company.

H. 492, concerning the Western Turnpike Company, the same being first amended, on motion of Mr. Stubbs.

H. 432, to amend the R. C., chapter 7, title Attachment.

H. 539, to charter the town of Jackson.

H. 443, to establish a military school in the county of Mecklenburg, by lottery, did not pass the second reading, but was,

On motion of Mr. Outlaw,

Postponed until the 4th March.

H. R. 434, in favor of James Blount.

H. 435, to amend the turnpike laws in the county of Jackson, did not pass the second reading, but was,

On motion of Mr. Stubbs,

Postponed until the 4th March ; and then,

The hour for the adjournment arriving, the House adjourned.

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AFTERNOON SESSION, MONDAY, 2D FEBRUARY, 1857.

A bill of the following title was introduced from the Senate, read and passed the first reading, and was filed for the second reading, viz :

No. 557, to charter the Asheville Gas Light Company.

The bill of the House (No. 437) concerning the bank of

Cape Fear, being read, and the question put, Shall the bill pass the second reading? Mr. Outlaw moved the same be postponed until the 4th March, and it was not adopted, and the question recurred; Mr. Caldwell moved it be laid upon the table, and the question thereon was put and decided in the affirmative.

The House proceeded to the special order, S. 350, concerning the Cape Fear and Deep River Improvement; the question being, Shall this bill pass the second reading? Mr. Cotten offered the following amendment, viz: Strike out, in the section which authorizes the State subscription, "3,000" shares and insert "1,000," and add the following, viz:

*Provided*, Good and solvent individuals will subscribe a like number, and the board of internal improvement are authorized to receive the private subscriptions; and whenever the individual stockholders pay \$25,000, the State shall pay \$25,000, and for every additional \$25,000 paid by individuals, the State shall pay a like amount until the whole sum is paid."

Mr. Dargan offered the following amendment thereto:

*Provided*, That no person who has heretofore been a director in the Cape Fear and Deep River Navigation Company, or a contractor in the said company, shall be appointed to superintend any portion of said work within the next two years;" and pending the question thereon, the hour arriving, The House adjourned.

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NIGHT SESSION, MONDAY, 2D FEBRUARY, 1857.

Bills of the following titles were received from the Senate and the same being read three times, passed, and were ordered to be enrolled, viz:

No. 558, an engrossed bill relative to the Fayetteville and Albemarle Railroad Company.

No. 559, an engrossed bill to charter the town of German-ton, in the county of Stokes.

No. 560, an engrossed joint resolution concerning the Secretary of State.

The bills and joint resolutions of the titles following, upon the second reading, being read three times, passed, and were ordered to be sent for concurrence to the Senate or were otherwise disposed of, as follows, viz :

S. R. 555, concerning the Senate Archives, the same being first amended so as to include the archives of the House and the Assistant Clerk of the same. Ordered to be enrolled.

H. 505, to amend the charter of the town of Salisbury.

S. 558, relating to the Fayetteville and Albemarle Railroad Company; also,

S. 559, to charter the town of Germanton.

S. 479, to amend the charter of Pittsboro'.

S. R. 554, in favor of James Roberts, sheriff of Rockingham. *Ordered*, That they be enrolled.

H. 476, to charter the Female College of the Methodist Protestant Church.

H. R. 364, in favor of the Private Secretary of the Governor; the same being reconsidered, on the motion of Mr. Meares.

S. 523, to ascertain the federal population of the county of Ashe; the question being, Shall this bill pass the second reading? Mr. Jenkins moved to strike out the appropriation of three hundred dollars, and Mr. Jarvis moved to postpone until the 4th March; and this last motion was put and adopted.

The House then resumed

S. 350, the pending question being upon the amendment offered by Mr. Dargan, and it was adopted; and then upon the amendment of Mr. Cotten, and it was

Decided in the affirmative—Yeas .....	55
Nays .....	36

On motion of Mr. Bynum,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Barnes, Bledsoe, Bynum, Bullock, Cansler, Clarke, Cotten, Dargan, Davidson, Dills, Elliott, Erwin, Fere-



bee, Foster, Gaither, Gentry, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Houck, Jarvis, Jennett, Jones, Kelly, Leach, Leitch, Lewis of Nash, Little, Lyon of Orange, Lyon of Granville, March, Masten, Montgomery, Morrison, Ogburn, Parker, Patterson, Pearson, Pickett, Pitchford, Ramsour, Rankin, Rushing, Speer, Stewart, Stiles, Stubbs, Tomlinson, Toms, White of Sampson, White of Cabarrus and Whitson.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Benbury, Bethea, Blow, Bridgers, Cox of Perquimons, Crump, Dancy, Gilliam, Glass, Holmes, Jenkins, Johnston, Lewis of Wake, Long, Love, Mann, Martin, Mason, Matthews, Meares, Moore, Outlaw, Outerbridge, Richardson, Sauls, Scott, Siler, Speight, Strayhorn, Tate, Thompson, Ward, Wangh, Williamson and Withers.

So the amendment was adopted, and the question recurred; pending which, the Speaker signed bills and joint resolutions of the titles following, reported to be truly enrolled, viz:

H. 103, to repeal R. C., chapter 120, title Wrecks, s. 16.

H. 190, to establish the superior courts of Harnett.

H. 383, to charter the town of Townsville.

H. 311, to charter the town of Burnsville.

H. 338, to alter the line between Wilkes and Caldwell.

H. 355, to charter the town of Columbus.

H. 356, to extend the charter of New Garden Boarding School.

S. 439, to recharter the Bank of the State.

H. R. 460, in favor of F. N. Roberts and R. M. Orrell.

S. 486, to charter Swansboro' Academy.

S. 496, to amend the Revenue Act.

S. 533, to amend the charter of the Greenville and French Broad Railroad Company.

S. 534, concerning Joshua Small, his wife Polly and others.

S. 539, to charter the town of Jackson.

S. 540, to charter Hillsboro'.

S. 542, to provide for the Insane Asylum.

S. R. 543, in favor of Lemuel Wilkinson and others; and

the question was put, Shall this bill pass the second reading?  
and

Decided in the negative—Yeas ..... 32  
Nays ..... 51

On motion of Mr. Hackney,

The yeas and nays were ordered. The following members  
voted in the affirmative, viz :

YEAS.—Messrs. Benbury, Bethea, Bynum, Cotten, Cox of  
Perquimons, Ferebee, Gentry, Hackney, Hall, Holmes, Jar-  
vis, Jenkins, Jennett, Lewis of Wake, Long, Love, Mann,  
Matthews, Meares, Outlaw, Pearson, Rand, Rankin, Richard-  
son, Rushing, Scott, Siler, Stewart, Tate, Toms, Waugh and  
Williamson.

And the following in the negative, viz :

NAYS.—Messrs. Badham, Barnes, Bledsoe, Blow, Bridgers,  
Bullock, Cansler, Clarke, Crump, Dancy, Dargan, Davidson,  
Elliott, Erwin, Foster, Gaither, Gilliam, Glass, Hargrove,  
Hester, Hill of Stokes, Houck, Kelly, Leitch, Lewis of Nash,  
Little, Lyon of Orange, Lyon of Granville, March, Martin,  
Mason, Masten, Montgomery, Moore, Outerbridge, Parker,  
Patterson, Pickett, Pitchford, Ramsour, Sauls, Settle, Speer,  
Speight, Strayhorn, Tomlinson, Ward, White of Sampson,  
White of Cabarrus, Whitson and Withers.

So the bill did not pass the second reading. Mr. Gilliam  
moved the same be reconsidered ; pending which,

The Speaker signed the other bills, etc., entitled as follows,  
and reported to be truly enrolled, viz :

H. R. 302, in favor of Henry Troutman.

H. 318, to complete the N. C. Atlantic Railroad.

H. 321, to revive the charter of the Neuse River Manufac-  
turing Company.

H. 402, to lay off a public road in Yancy and Burke.

S. 454, to charter the Yadkin Manufacturing Company.

H. R. 459, concerning the Geological Cabinet.

S. 498, to amend LL. 1852, titile Civil Process.

S. 521, to charter Hyde County Steamboat Joint Stock  
Company.

H. R. 527, concerning the additional Engrossing Clerks.

H. R. 545, in favor of Clerks of General Assembly.

And the question was put upon the motion of Mr. Gilliam, and

Decided in the affirmative—Yeas .....	55
Nays .....	31

On motion of Mr. Cotten,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Bethea, Bledsoe, Blow, Bridgers, Bright, Cox of Perquimons, Crump, Dancy, Ferebee, Gilliam, Glass, Green, Hall, Hill of Stokes, Holmes, Jarvis, Jenkins, Johnston, Leitch, Lewis of Wake, Long, Love, Lyon of Orange, Mann, Martin, Mason, Masten, Matthews, Moore, Outlaw, Outerbridge, Patterson, Pickett, Pitchford, Ramsour, Rankin, Richardson, Sauls, Scales, Scott, Siler, Speight, Stewart, Stiles, Strayhorn, Stubbs, Tate, Toms, Waddill, Ward, Waugh, White of Sampson, Williamson and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Bynum, Bullock, Cansler, Clarke, Cotten, Dargan, Davidson, Dills, Eller, Elliott, Erwin, Foster, Gaither, Hackney, Hargrove, Hester, Houck, Jones, Leitch, Lewis of Nash, Little, Lyon of Granville, March, Parker, Pearson, Rushing, Settle, Speer, Tomlinson and White of Cabarrus.

And the bill being reconsidered, was,

On motion of Mr. Ferebee,

Made the special order for to-morrow at 10 o'clock, and the House,

On motion of Mr. Dargan,

And at 10 o'clock and 25m. adjourned.

TUESDAY, A. M., 3D FEBRUARY, 1857.

After the journal of yesterday had been read, Mr. Ferebee rose and said, that when Mr. Cotten's amendment was first put to the House he had voted "no," and had, before the result was declared, changed his vote to "aye," for the purpose



of enabling him to move for a reconsideration of the same in the event of its passage. He further stated, that being opposed to that amendment he now desired to change his vote, and asked that the entry upon the journal be altered accordingly; but the House refused to grant the order.

A bill and joint resolution of the titles following were introduced, read the first, second and third times, passed, and ordered to the Senate, viz:

By Mr. Bethea: a bill (No. 561) concerning the Bank of Clarendon. The Speaker presented the memorial of John D. Williams and others, praying the passage of the same bill. Filed therewith and sent to Senate.

By Mr. Cotten: a joint resolution (No. 562) in favor of the doorkeepers.

Also the following entitled bill upon the second reading, viz:

H. 553, to amend the charter of the Western N. C. Railroad Company.

The following entitled bills, etc., were signed by the Speaker, they being reported compared and truly enrolled, viz:

H. 104, concerning Chatham and Alamance.

S. R. 554, in favor of James Roberts.

S. R. 560 concerning the Secretary of State.

H. R. 364, in favor of the Private Secretary.

S. 474, to charter the Cheraw and Coalfield Railroad Company.

Mr. Settle moved to take up the motion to reconsider H. R. 360, in favor of John M. Morehead. Mr. Ferebee moved the question be postponed to the special order. Mr. Leach moved it be postponed till the 4th March, and it was so ordered, there being counted

In the affirmative ..... 43 votes,

In the negative ..... 32 "

The following resolutions and memorial were reported as follows, viz:—

H. R. 417, by Mr. Hargrove, from propositions and grievances, unfavorably; also,

The resolution of Mr. Pickett, concerning the ladies and the gallery; and

The memorial of the Raleigh Baptist Association; and asking to be discharged, and it was so ordered.

And S. 550, to amend the charter of the Cape Fear and Deep River Navigation Company being reconsidered, the question recurred, Shall this bill pass the second reading? and was put and

Decided in the affirmative—Yeas .....	47
Nays .....	41

On motion of Mr. Cotten,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Benbury, Bethea, Blow, Bridgers, Bynum, Caldwell, Cotten, Cox of Perquimons, Daucy, Ferebee, Gilliam, Green, Hackney, Hall, Holmes, Jarvis, Jenkins, Jennett, Lewis of Wake, Long, Love, Lyon of Orange, Mann, Martin, Masten, Meares, Moore, Ogburn, Outlaw, Rankin, Reeves, Richardson, Sauls, Scales, Scott, Siler, Slaughter, Speight, Stewart, Strayhorn, Stubbs, Tate, Toms, Ward, Waugh and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Bledsoe, Bullock, Cansler, Clarke, Crump, Dargan, Davidson, Dills, Elliott, Erwin, Gaither, Glass, Hargrove, Hester, Honck, Jones, Kelly, Leach, Lewis of Nash, Lyon of Granville, March, Mason, McIntosh, Outerbridge, Parker, Patterson, Pickett, Pitchford, Ramsour, Rand, Routh, Settle, Speer, Thompson, Tomlinson, Waddill, White of Sampson, White of Cabarrus, Whitson and Williamson.

Mr. Leitch paired off with Mr. Little.

Mr. Matthews with Mr. Rushing.

The bill having passed the second reading was read the third time, and the question put, Shall this bill pass the third reading? Mr. Ferebee moved to amend by striking out the amendment adopted upon the motion of Mr. Cotten. Mr. Green offered an amendment as follows:

“*Provided*, That when individuals shall subscribe \$100,000 in such manner as shall be approved by the Governor and the

internal improvement board, then the Public Treasurer shall subscribe \$200,000 for the completion of the Cape Fear and Deep River Navigation."

And pending the question thereon, the hour for the adjournment (1 o'clock and 30m.) having arrived, the House adjourned.

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AFTERNOON SESSION, TUESDAY, 3D FEBRUARY.

A bill and joint resolution of the titles following, were introduced from the Senate, read and passed the first reading, and filed for the second reading, viz:

No. 565, a bill to amend the charter of Elizabeth City.

No. 566, a joint resolution in favor of R. S. D. Bell.

The Senate informed the House by message that they had passed the following House bill, viz:

No. 144, to open Yadkin river to the passage of fish, with an amendment, and the question being, Shall the House concur therein? the House disagreed to the amendment.

On motion of Mr. Mann,

The rule was suspended, and the following entitled bill of the Senate read the second and third times and passed, viz:

S. 565, to amend the charter of Elizabeth City.

*Ordered*, That it be enrolled.

On motion of Mr. Gilliam,

The rule being suspended, the following entitled bill was read the second time and passed the second reading, viz:

H. 513, concerning the Lunatic Asylum; and the question being, Shall this bill pass the third reading? Mr. Jenkins moved to strike out the first section; Mr. Bynum moved the bill be postponed till the 22d February, and this question was put, and

Decided in the negative—Yeas ..... 28

Nays ..... 58

On motion of Mr. Meares,

The yeas and nays were ordered. The following members voted in the affirmative, viz:



YEAS.—Messrs. Barnes, Benbury, Bynum, Bullock, Cansler, Clarke, Cotten, Dills, Gaither, Hackney, Hargrove, Hester, Jarvis, Long, Lyon of Orange, Lyon of Granville, Mason, McIntosh, Patterson, Ramsour, Rankin, Scales, Speight, Stewart, Thompson, Toms, Waugh and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Bethea, Bledsoe, Blow, Bridgers, Caldwell, Cox of Perquimons, Dancy, Dargan, Davidson, Elliott, Erwin, Ferebee, Gilliam, Glass, Green, Hall, Hill of Stokes, Houck, Holmes, Jenkins, Jennett, Johnston, Kelly, Leach, Leitch, Lewis of Wake, Lewis of Nash, Little, Love, Mann, March, Martin, Masten, Matthews, Meares, Moore, Ogburn, Outlaw, Outerbridge, Parker, Pickett, Pitchford, Rand, Richardson, Routh, Scott, Settle, Siler, Slaughter, Speer, Strayhorn, Stubbs, Tate, Tomlinson, Waddill, Ward, Whitson and Williamson.

So the House refused to postpone the question, and it recurring upon the motion of Mr. Jenkins, Mr. Pickett moved to lay the same upon the table, and it was not adopted, there being counted

In the affirmative ..... 34 votes.

In the negative ..... 42 “

Mr. Houck moved to postpone until half past seven o'clock, and it was not adopted; Mr. Caldwell offered an amendment, which was not adopted; and then the motion of Mr. Jenkins was put and adopted, and the bill so amended passed the second reading. Mr. Jenkins moved it be read the third time, and the motion did not prevail.

The Senate informed the House that they had passed the bills of the House respectively entitled as follows, with amendments, in which they asked the concurrence of the House, viz:

H. 343, to charter the Southern Air Line Railway Company.

H. 330, concerning the weight of cotton, etc., sold in the town of Wilmington.

H. 558, to amend the charter of the Western N. C. Railway Company.

H. 561, to amend the charter of the bank of Clarendon.

And the question being, Shall the House concur? The House did concur, and the Senate was informed thereof.

The House resumed the consideration of the bill (S. 550) concerning the Cape Fear and Deep river, the question being upon the amendment of Mr. Green to the motion of Mr. Ferree; and, pending this question,

The Speaker signed the following bills, etc., reported by the committees as faithfully compared and truly enrolled, viz:

H. R. 64, in favor of Bennet H. Stanmire.

H. 240, to revise and consolidate the charter of Raleigh.

H. 418, to lay off a public road in Yancy and Burke.

S. 476, to charter the Female College of the M. P. Conference.

S. 478, to charter Warsaw High School.

S. 479, to amend charter of Pittsboro'.

H. R. 501, in favor of Alexander Johnson.

S. 558, relating to Fayetteville and Albemarle Railway.

S. 559, to charter Germantown.

H. 564, to revise charter of the Chatham Railway Company.

Pending the same question, the Senate informed the House that they had modified the joint resolution concerning the adjournment, *sine die*, so as to substitute "1 o'clock, A. M." for "5 o'clock, A. M." in the resolution, and to provide for an adjournment this night, when that hour arrived; and the question being thereon, the House concurred. Mr. Dancy moved to extend this afternoon session from 5 o'clock to 6 o'clock, and it did not prevail. And then, the hour for the adjournment having arrived, the House adjourned.

—

NIGHT SESSION, TUESDAY, 3D FEBRUARY, 1857.

On motion of Mr. Houck,

The rule being suspended, the bills of the following titles

were read the second and third times, passed and ordered as follows, viz :

H. 144, concerning the Institution for the Deaf, Dumb and Blind.

*Ordered*, To be sent to the Senate.

S. 139, to charter the N. C. and Va. Railway Company.

S. 556, to charter Columbus Normal School.

*Ordered*, That they be enrolled.

Bills and joint resolutions of the following titles were introduced from the Senate, and, being read, passed the first reading and were filed, viz :

No. 567, an engrossed bill to revise the charter of the Chatham Railway Company, (See H. 564.)

No. 568, an engrossed bill to amend the Militia law.

No. 569, an engrossed bill to charter the American Exchange and Gold Mining Company.

No. 570, a joint resolution concerning the Peedee river.

No. 571, an engrossed resolution in favor of the Assistant Engrossing Clerks; and this resolution being read the second time, Mr. Settle moved to amend the same by inserting as follows, viz: "And twenty-five dollars each *extra* to the regular engrossing clerks," and the question being thereon, it was adopted; and the Senate being informed thereof, agreed to the same, and then it was,

*Ordered*, That this resolution be enrolled.

The following other bills of the Senate were received and entered upon the House Calendar, but were not read, viz :

No. 572, an engrossed bill to charter the Cambridge Copper Mining Company.

No. 573, to charter the Hillsboro' Savings Institution.

No. 574, to authorize the N. C. Railway Company to complete their survey to Tennessee.

No. 575, to charter the Greensboro' Mining and Smelting Company.

On motion of Mr. Holmes,

*Ordered*, That no business of a public nature shall be taken up or considered by the House to-night, but only bills of a



private nature shall be considered, after the disposition of the unfinished business now before the House.

And the House having resumed the unfinished business of the day, the question recurred upon the amendment of Mr. Green, and it was withdrawn; and then the question being upon the motion of Mr. Ferebee, Mr. Cox of Perquimons moved to amend the same by adding as follows, viz:

“And insert in lieu of the said amendment of Mr. Cotten, the following, viz: ‘*Provided*, That the said sum shall be applied to paying the debts of the company and (if the Governor and board of internal improvements deem it expedient and prudent to promote the best interests of the State) to the further prosecution of the work. And if the Governor, etc., shall deem it unadvisable to prosecute the work further, the Governor is hereby authorized to sell or otherwise dispose of the State’s interest in the work or not, as he may deem for the best interest of the State.’”

The question being thereon, and a division demanded, it was first put upon Mr. Ferebee’s motion to strike out and

Decided in the negative—Yeas .....	29
Nays .....	43

On motion of Mr. Ferebee,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Benbury; Bethea, Blow, Caldwell, Cox of Perquimons, Dancy, Ferebee, Green, Holmes, Jenkins, Lewis of Wake, Long, Love, Mann, Mason, Meares, Moore, Outlaw, Outerbridge, Patterson, Richardson, Scales, Scott, Siler, Strayhorn, Ward, Waugh and Withers.

And the following in the negative, viz:

NAYS.—Messrs. Barnes, Bledsoe, Bridgers, Bynum, Bullock, Cansler, Clarke, Cotten, Dargan, Davidson, Dills, Erwin, Gaither, Glass, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Houck, Jarvis, Jennett, Johnston, Kelly, Lewis of Nash, Little, Lyon of Orange, Lyon of Granville, Masten, McIntosh, Parker, Pickett, Pitchford, Ramsour, Rankin, Reeves, Routh, Settle, Stubbs, Tomlinson, Toms, White of Cabarrus and Williamson.

Mr. Leach paired off with Mr. Humphrey; Mr. Speer with Mr. Sauls; Mr. Thompson with Mr. Speight.

So the House refused to strike out the Cotten amendment, and this disposed of the amendment of Mr. Cox. The question recurring, Shall this bill pass the third reading? Mr. Gilliam offered the following substitute:

“ A BILL TO AUTHORIZE A SALE OF THE INTEREST OF THIS STATE IN THE CAPE FEAR AND DEEP RIVER NAVIGATION COMPANY, AND IN THE CAPE FEAR NAVIGATION COMPANY.

“ 1. *Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same,* That the Governor and president and directors of the literary fund are hereby authorized and required to dispose of the right, title and interest of this State in the Cape Fear and Deep River Navigation Company, and in the Cape Fear Navigation Company, to Marshall Parks, Addison M. Burt, John Lathrop and D. S. Walton, and their associates, at a sum not less than two hundred thousand dollars, if the said parties, or any of them, shall within one year from the passage of this act, enter into a contract obligating themselves to pay to the Public Treasurer the sum of twelve thousand dollars per annum in discharge of interest upon the investment of the State in said works, and the further sum of two thousand dollars per annum, to constitute a sinking fund for the extinguishment of the principal sum of two hundred thousand dollars as aforesaid: *Provided, however,* That the mortgage now held by this State shall remain in full force as security for the performance of said contract; and in case the said parties, or any of them, shall enter into said contract, the aforesaid navigation companies shall have the exclusive privilege for the term of fifty years of transporting the coal, iron and other minerals and products, of the region known as the Coalfields of Chatham and Moore; and the faith of this State is hereby pledged to said companies, not to incorporate, establish or permit any work or improvement, by which the said coal, iron and other minerals and products, can be transported, except such as are already incorporated, together with

the exception of a line of railroad connecting at some point with the N. C. Central Railroad, nor to grant any aid or afford any assistance to companies already incorporated or any other parties.

“2. *Be it further enacted*, That the period within which the Cape Fear and Deep River Navigation are required by their charter to complete their works, is hereby extended five years, and that the capital stock may be increased to any amount not exceeding five millions of dollars.

“3. *Be it further enacted*, That a board of five commissioners, to be appointed by the Governor, apportion between the State and the Literary Fund, according to the value of their respective interests, the proceeds of such sale.

“4. *Be it further enacted*, This act shall be in force from and after its ratification.

Pending the question thereon, the Speaker signed the following entitled bills reported by the committee to be truly enrolled, etc., viz :

H. 330, concerning cotton and wheat inspectors.

H. R. 461, in favor of W. Watson.

H. R. 502, concerning cabinet of minerals.

H. 552, concerning Salmon creek in Bertie county.

And the question being put, the amendment was not adopted; and the question recurring, Mr. Dargan moved to lay the bill upon the table, and the question was put and

Decided in the negative—Yeas .....	18
Nays .....	60

On motion of Mr. Dargan,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Bullock, Clarke, Dargan, Dills, Erwin, Foster, Gaither, Glass, Hargrove, Hester, Houck, Leach, Lewis of Nash, Little, Lyon of Granville, March, Settle and White of Cabarrus.

And the following in the negative, viz :

NAYS.—Messrs. Benbury, Bethea, Bledsoe, Blow, Bridgers, Bynum, Caldwell, Cotten, Cox of Perquimons, Dancy, Davidson, Elliott, Ferebee, Gentry, Gilliam, Green, Hackney,



Hall, Hill of Stokes, Holmes, Jarvis, Jenkins, Jennett, Johnston, Leitch, Lewis of Wake, Long, Love, Lyon of Orange, Mann, Masten, McIntosh, Meares, Moore, Ogburn, Outlaw, Outerbridge, Parker, Patterson, Pickett, Pitchford, Ramsour, Rankin, Reeves, Richardson, Routh, Scales, Scott, Siler, Slaughter, Speer, Stewart, Stiles, Strayhorn, Toms, Waddill, Ward, Waugh, Williamson and Withers.

So the House refused to lay the question on the table, and it recurred. Mr. Ferebee moved to strike out Mr. Cotten's amendment, and the question thereon was put, and

Decided in the affirmative—Yeas .....	44
Nays .....	34

On motion of Mr. Ferebee,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Benbury, Bethea, Blow, Bridgers, Caldwell, Cox of Perquimons, Dancy, Ferebee, Gilliam, Glass, Green, Hill of Stokes, Holmes, Jarvis, Jenkins, Johnston, Leitch, Long, Love, Lyon of Orange, Mann, Mason, Masten, McIntosh, Meares, Moore, Ogburn, Outlaw, Outerbridge, Patterson, Ramsour, Reeves, Richardson, Scales, Scott, Slaughter, Speer, Strayhorn, Waddill, Ward, Waugh, Williamson and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Bledsoe, Bynum, Bullock, Cansler, Clarke, Cotten, Dargan, Davidson, Dills, Elliott, Erwin, Foster, Gaither, Hackney, Hall, Hargrove, Hester, Houck, Jennett, Lewis of Nash, Little, Lyon of Granville, March, Parker, Pickett, Rankin, Routh, Settle, Stiles, Stubbs, Tomlinson, Toms and White of Cabarrus.

The question recurred, when Mr. Dargan moved to strike out \$300,000 and insert \$100,000; and the question was put first upon the motion to strike out, and

Decided in the affirmative—Yeas .....	39
Nays .....	30

On motion of Mr. Dargan,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Bridgers, Bynum, Bullock, Clarke, Cotten, Dargan, Davidson, Dills, Elliott, Erwin, Foster, Gaither, Glass, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Jennett, Johnston, Lewis of Nash, Little, Lyon of Granville, March, Mason, Outerbridge, Parker, Patterson, Pickett, Ramsour, Rankin, Routh, Scott, Stubbs, Tomlinson, White of Cabarrus and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Bethea, Bledsoe, Blow, Caldwell, Cox of Perquimons, Dancy, Ferebee, Gilliam, Green, Houck, Holmes, Jarvis, Jenkins, Leitch, Long, Love, Lyon of Orange, Mann, Masten, Moore, Outlaw, Richardson, Slaughter, Stewart, Strayhorn, Toms, Waddill, Ward, Waugh and Williamson.

And the question being put upon the motion to insert, it was not adopted; Mr. Caldwell moved to postpone the bill indefinitely, and it was not adopted; and the question recurring, Mr. Badham moved to insert as follows, viz: "When individuals shall subscribe \$400,000, in such manner as shall be approved by the Governor and the Board of Internal Improvements, then the Public Treasurer shall subscribe the sum of \$800,000 for the completion of the work." And the question thereon was put, and

Decided in the negative—Yeas .....	9
Nays .....	52

On motion of Mr. Badham.

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Badham, Bethea, Clarke, Glass, Holmes, Jarvis, Long, Stewart and Ward.

And the following in the negative, viz :

NAYS.—Messrs. Barnes, Benbury, Blow, Bridgers, Bynum, Bullock, Caldwell, Cotten, Cox of Perquimons, Dancy, Dargan, Davidson, Dills, Elliott, Ferebee, Foster, Gaither, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Houck, Jennett, Johnston, Leach, Leitch, Lewis of Nash, Little, Lyon of Granville, Mann, Mason, Masten, Moore, Outlaw, Outerbridge, Parker, Patterson, Ramsour, Rankin, Routh,

Scales, Scott, Slaughter, Speer, Strayhorn, Stubbs, Tomlinson, Toms, Waugh and White of Cabarrus.

So this amendment did not prevail, and the question recurred, pending which,

The Speaker signed the following entitled bills, etc., reported to be truly enrolled, viz:

H. 252, to repeal R. C., chapter 44, title Evidence, s. 44.

H. 345, to alter court terms in Davie.

H. 313, to charter Salem and Germanton Railway Company.

H. 500, to amend charter of Lincolnton.

H. 380, to alter sessions in Alexander and Davie.

H. 89, to pay tales jurors.

H. 341, to establish a public road in Caldwell.

H. R. 301, in favor of Benjamin Henline and others.

H. 505, to amend the charter of Salisbury.

And the House proceeded with the special order, as follows: Mr. Caldwell moved to lay the bill upon the table, and it was not adopted. Mr. Outlaw moved to insert \$101,000, and the question thereon was put and

Decided in the negative—Yeas .....	18
Nays .....	46

On motion of Mr. Outlaw,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Bethea, Caldwell, Cox of Perquimons, Ferabee, Holmes, Jenkins, Leitch, Long, Love, Mann, Meares, Outlaw, Scott, Stewart, Stiles, Strayhorn, Ward and Waugh.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Benbury, Bridgers, Bynum, Bullock, Cansler, Clarke, Cotten, Dargan, Dills, Elliott, Erwin, Foster, Gaither, Glass, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes, Houck, Jennett, Leitch, Lewis of Nash, Little, Lyon of Orange, Lyon of Granville, March, Mason, Masten, McIntosh, Moore, Outerbridge, Parker, Patterson, Pickett, Ramsonr, Rankin, Routh, Settle, Stubbs, Tomlinson, Toms and Williamson.

Mr. Benbury moved the bill be postponed to the 4th March, and the question thereon was put and



Decided in the negative—Yeas ..... 30  
 Nays ..... 40

On motion of Mr. Houck,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Bridgers, Bullock, Clarke, Dargan, Davidson, Dills, Elliott, Foster, Gaither, Glass, Hargrove, Hester, Hill of Stokes, Houck, Jennett, Johnston, Lewis of Nash, Little, Lyon of Granville, March, Mason, Outerbridge, Parker, Pickett, Rankin, Routh, Tomlinson and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Bethea, Bledsoe, Blow, Bynum, Caldwell, Cansler, Cotten, Cox of Perquimons, Dancy, Erwin, Ferebee, Gilliam, Green, Hackney, Hall, Holmes, Jenkins, Leitch, Long, Love, Lyon of Orange, Masten, Meares, Moore, Outlaw, Patterson, Pitchford, Ramsour, Reeves, Richardson, Scott, Slaughter, Speer, Stewart, Stiles, Strayhorn, Toms, Waddill, Ward and White of Cabarrus.

So the House refused to postpone the question, and it recurred, when Mr. Ferebee offered the following substitute, viz : “Strike out all after the enacting clause, and insert as follows :

“1. *Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same,* That the charter of the Cape Fear and Deep River Navigation Company be so amended, that the State shall cease to have the power of appointing any of the directors of said company, or in any way interfere in the management of its affairs ; and the whole of the board of directors shall be selected by the individual and corporate stockholders in general meeting assembled, and by them shall the affairs of said company, in the future, be managed.

“2. *Be it further enacted,* That in passing upon the acceptance of this amendment by the company, the proxy of the State shall give no vote ; but its acceptance shall be decided by a majority of the stockholders other than the State.

“3. *Be it further enacted,* That the capital stock of said

company shall and may be increased to any amount, not to exceed five millions of dollars; and that the time now specified in its charter, within which the work shall be completed, shall be extended for the period of ten years.

“4. *Be it further enacted*, That the president and directors of the company shall have power and authority to sell or otherwise dispose of the whole, or any portion of the personal property of the company, to meet its present liabilities.

“5. *Be it further enacted*, That the said company shall have power and authority to purchase, from time to time, the shares, owned as well by individuals, as the State, in the Cape Fear Navigation; and the Governor of the State is authorized and directed to transfer the whole or any portion of the stock owned by the State in said Cape Fear Navigation, whenever the Cape Fear and Deep River Navigation Company shall pay to the Treasurer of the State, the par value of the same.

“6. *Be it further enacted*, That all the powers, privileges, and immunities heretofore granted to said company, are herein and hereby reaffirmed; and this act shall be in force from and after its ratification.”

And the question being thereon, it was not adopted.

At twelve o'clock, Mr. Scott moved the House take a recess for twenty minutes, and it was not adopted. Mr. Dargan moved the House adjourn for fifteen minutes, and the question thereon was put, and

Decided in the negative—Yeas .....	5
Nays .....	57

On motion of Mr. Ferebee,

The yeas and nays were ordered. The following members voted in the affirmative, viz:

YEAS.—Messrs. Benbury, Dargan, Jarvis, March and Pickett.

And the following in the negative, viz:

NAYS.—Messrs. Badham, Barnes, Bledsoe, Blow, Bridgers, Bynum, Bullock, Cansler, Clarke, Cotten, Cox of Perquimons, Dancy, Dills, Elliott, Erwin, Ferebee, Foster, Glass, Green, Hackney, Hall, Hargrove, Hester, Hill of Stokes,

Houck, Holmes, Jenkins, Jennett, Johnston, Leitch, Lewis of Nash, Little, Long, Love, Lyon of Orange, Mason, Masten, Matthews, McIntosh, Meares, Ogburn, Outerbridge, Parker, Patterson, Pitchford, Rankin, Siler, Speer, Stewart, Strayhorn, Stubbs, Thompson, Toms, Waddill, Ward, Waugh and Williamson.

The question still pending, at 12 o'clock and 30m., Mr. Love offered the following, viz :

“ *Ordered*, That a message be sent to the Senate proposing to rescind the resolution to adjourn at 1 o'clock this night and to adjourn on Wednesday (to-morrow) at 5 o'clock, A. M.”

Mr. Parker moved to lay the same upon the table, and the question thereon was put, and

Decided in the affirmative—Yeas .....	38
Nays .....	37

On motion of Mr. Gilliam,

The yeas and nays were ordered. The following members voted in the affirmative, viz :

YEAS.—Messrs. Badham, Barnes, Bethea, Bridgers, Bynum, Bullock, Cansler, Dargan, Gaither, Gentry, Hackney, Hargrove, Hester, Hill of Stokes, Houck, Jarvis, Jennett, Leach, Leitch, Lewis of Nash, Long, Lyon of Granville, Mann, March, Mason, Matthews, Outlaw, Outerbridge, Parker, Patterson, Pickett, Rankin, Settle, Slaughter, Speer, Stubbs, Thompson and Withers.

And the following in the negative, viz :

NAYS.—Messrs. Benbury, Bledsoe, Blow, Clarke, Cotten, Cox of Perquimons, Dills, Elliott, Erwin, Ferebee, Foster, Gilliam, Glass, Green, Hall, Holmes, Jenkins, Johnston, Little, Love, Lyon of Orange, Masten, McIntosh, Meares, Pitchford, Ramsour, Reeves, Routh, Siler, Stewart, Stiles, Strayhorn, Tomlinson, Toms, Ward, Waugh and Williamson.

Mr. Gilliam moved that a message be sent to the Senate proposing to alter the hour for the adjournment to 4 o'clock instead of 1 o'clock, and it was not adopted ; and then, it being 12 o'clock and 40m., the Speaker left the chair, when the following resolution, introduced by Mr. Leach, was called,



read and (Mr. Stubbs presiding) put, and adopted as follows, viz :

*Resolved unanimously*, That the thanks of this House be presented to the Hon. Jesse G. Shepherd, the Speaker thereof, for the able, dignified and impartial manner with which he has presided over its deliberations during the present session ; also,

On motion of Mr. Mann,

*Resolved unanimously*, That the thanks of this House be presented to Mr. Edward Cantwell, Principal Clerk, and Mr. George Howard, the Assistant Clerk, for the efficient manner in which they have discharged their respective stations.

Whereupon the Speaker resumed the chair, and addressed the House as follows, to wit :

GENTLEMEN OF THE HOUSE OF COMMONS:—The tie which binds us here is about to be severed. After having sat together in this Hall for several weeks, I may almost say, as a band of brothers—animated by no spirit of mere personal rivalry, and unconscious almost of party differences—we have been meeting as North-Carolinians ought always to meet in this Legislative Chamber, and mutually assisted each other in perfecting many measures, which I trust will advance the interests of our common mother ; and now, gentlemen, we are soon to part—to seek some in the north and in the south, others in the east and in the yet distant west, our several homes. It is not likely, indeed, it is sad to reflect, that it is certain all of us cannot meet together again upon this earth ! I would not be a man at all, if under such circumstances I did not feel deeply affected by the occasion, and the resolution you have passed, or disgnised the gratification I feel at the manner in which you have received and passed it.

After the experience of but a single session upon the floor of this Assembly, you did me the honor immediately after my arrival here, and without solicitation, to elevate me to this chair. In the discharge of the various duties which resulted from your choice, and during the protracted session which has thence ensued, I do not pretend or claim to have been exempt from error. Confined, as I have necessarily

been to this place, I have at times experienced some impatience. But if at any time, by any act or look or utterance of mine, I have betrayed it to any gentleman or member of this body—I take occasion to say, if anything of this kind has been noticed, that it was but a temporary feeling, which has left no impression upon my memory. I part from you all with not a single unkind feeling towards any of you. My recollections will be altogether of the most pleasant character. I shall go back to my constituents, and will tell them that if I have not deserved, I have received from you nothing but kindness and confidence.

Gentlemen, I have endeavored to do my duty as Speaker of this House, as a North-Carolinian and not as a partizan. In the enforcement of your rules I have endeavored to have always in view what was just to all. I have endeavored to decide the questions submitted to me with fairness, and not in the spirit of the partizan. To my immediate friends—those with whom I have spent so many hours of pleasant intercourse—what more can I add, than that I wish them all health and happiness both in this life and that which is to come.

Gentlemen, our fortunes have been various. Some of you have received from this General Assembly all that you asked. I have not been so successful. The measure I had most at heart has not been so fortunate as to meet your sanction, but I am sustained by the conviction that it failed by no fault of mine, for freely availing myself of your privilege to mingle upon the floor, and to take part in your debates, I have done all that I honorably could to achieve the wishes of my immediate constituency. The conviction that neither my duty to them or to you has been wilfully neglected, sustains me here, and will sustain me hereafter. If a man carries this conviction in his bosom the world may abandon him, but there he has a friend. Such is the feeling which should animate the heart of every legislator. Let him but ask himself, Did I do my duty? Not how this or that particular act will affect him two years hence, but how will all he has done affect him in the long, unending hereafter. If, gentlemen, you leave

this hall with these sentiments and this conviction, whatever fate may have befallen you or your constituents in this body, you have a friend who will not desert you. I feel, therefore, neither jealous of the fortune of others, nor dismayed at my own. The world may frown, but a sense of duty performed shall be to me a shield and a solace.

Besides the great pleasure I have had in meeting here old classmates and intimates, I have made many new friends, from whom nothing can part me but the hand of death. It is not likely that I shall come here again; if permitted to pursue my own inclinations, I will not. And after all, what enjoyments are so sweet, what pleasures so dear, what preferment can supply those domestic endearments which cluster in a private station at home, whither you and I will now gladly hasten, far from the paths of ambition, and the rude strife of party conflicts!

Gentlemen, I have been talking to you without notes, or any attempt at display, and from the mere promptings of my heart. It is unnecessary to detain you longer. I renew to you each one and all, my best wishes; may you long live in the enjoyment of all the good things of this life, and one day share also those happier, purer and far more enduring joys which belong to the life which is to come. Nothing remains except for me to say that the hour for the adjournment of the General Assembly having arrived, I now declare this House adjourned without day.

And so at 1 o'clock, and pending the question aforesaid, the House adjourned *sine die*.

EDWARD CANTWELL,  
*Clerk of the House.*

*Clerk's Office, Raleigh,*  
26th March, 1857.





# APPENDIX.

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## STANDING RULES AND ORDERS FOR CONDUCTING BUSINESS IN THE HOUSE OF COMMONS OF NORTH-CAROLINA.

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NOTE.—The Italics in these rules, etc., designate the material amendments made at this session.

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### TOUCHING THE DUTY OF THE SPEAKER.

1. He shall take the Chair every day precisely at the hour to which the House, on the preceding day, adjourned; shall immediately call the members to order; and, on the appearance of a quorum, cause the Journal of the preceding day to be read.

2. He shall preserve decorum and order; may speak to points of order in preference to other members; rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member; on which appeal, no member shall speak more than once, unless by leave of the House.

3. He shall rise to put a question, but may state it sitting.

4. Questions shall be distinctly put in this form, namely: "As many as are of the opinion that (as the question may be,) say Aye:" and, after the affirmative voice has been expressed, "As many as are of the contrary opinion say No." If the Speaker still doubt, or a count be required, the Speaker shall name two members, one from each side of the House, to tell the members in the affirmative; which, being reported, he shall then name two others, one from each side of the question, to tell those in the negative; which, being also reported, he shall rise and state the decision to the House.

5. The Speaker shall examine and correct the Journal be-

fore it is read. He shall have a general direction of the Hall. He shall have a right to name any member to perform the duties of the Chair; but such substitution shall not extend beyond *four days*, except in case of sickness.

6. All Committees shall be appointed by the Speaker, unless otherwise specially ordered by the House.

7. In all elections the Speaker shall vote. In other cases he shall not vote, unless the House be equally divided, or unless his vote, if given in the minority, will make the division equal: in case of such equal division, the question shall be lost.

8. All Acts, Addresses, and Joint Resolutions, shall be signed by the Speaker; and all writs, warrants and subpoenas, issued by order of the House, shall be under his hand and seal, attested by the Clerk.

9. In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole,) shall have power to order the same to be cleared.

10. No person, except members of the Senate, Officers, and Clerks of the two Houses of the General Assembly, Judges of the Supreme and Superior Courts, Officers of the State resident at the seat of government, members of Congress, persons particularly invited by the Speaker, and such gentlemen as have been members of either House of the Legislature, shall be admitted within the Hall of the House.

11. Stenographers, wishing to take down debates, may be admitted by the Speaker, who shall assign such places to them on the floor, or elsewhere, to effect their object, as shall not interfere with the convenience of the House.

#### ORDER OF BUSINESS OF THE DAY.

12. After the reading of the Journal of the preceding day, the House shall proceed to business in the following order, viz: 1<sup>st</sup>, the receiving petitions, memorials, pension certificates, and papers addressed either to the General Assembly or to the House; 2<sup>nd</sup>, the reports of Standing Committees; 3<sup>rd</sup>, the reports of Select Committees; 4<sup>th</sup>, resolutions; 5<sup>th</sup>, bills; 6<sup>th</sup>, bills, resolutions, petitions, memorials, messages,



pension certificates, and other papers on the table. Then the orders of the day ; but motions and messages to elect officers shall always be in order.

13. The unfinished business in which the House was engaged at the last preceding adjournment shall have preference of orders of the day ; and no motion or any other business shall be received, without special leave of the House, until the former is disposed of. All elections by the House shall be *viva voce*, unless there be but one nominee ; in which case, appointments may be made on motion ; and, on such elections, the roll shall be called a second time for absentees, before the result is announced.

OF DECORUM AND DEBATES.

14. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to the Speaker.

15. When the Speaker shall call a member to order, he shall sit down ; as also he shall when called to order by another member, unless the Speaker decide the point of order in his favor. By leave of the House, a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands, but by permission of the House. Any member may appeal from the decision of the Chair ; and if, upon the appeal, the decision be in favor of the member called to order, he may proceed ; if otherwise, he shall not, except by leave of the House ; and if the case in the judgment of the House require it, he shall be liable to its censure.

16. When two or more members rise at the same time, the Speaker shall name the member to speak.

17. No member shall speak more than twice on the same question, without leave of the House.

18. Whilst the Speaker is putting any question, or addressing the House, no person shall speak, stand up, or walk out or across the House ; nor, when a member is speaking, entertain private discourse, stand up, or pass between him and the Chair.

19. No member shall vote on any question, touching his

right to a seat in the House, or on the passage of any private bill or resolution, in the event of which he is immediately and directly interested, or in the case where he was not present when the question was put by the Speaker. Upon a division and count of the House on any question, no member without the bar shall be counted.

20. Every member who shall be in the House when the question is stated, shall give his vote, unless the House, for special reasons, shall excuse him.

21. When a motion is made, and seconded, it shall be stated by the Speaker, or if written, it shall be handed to the Chair, and read aloud by the Clerk, before debated.

22. Every motion shall be reduced to writing, if the Speaker or any two members desire it.

23. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn before a decision or amendment; except in case of a motion to reconsider, which motion, when made by a member, shall be deemed, and taken to be in possession of the House, and shall not be withdrawn without leave of the House.

24. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a certain day, to commit or amend; which several motions shall have precedence, in the order they stand arranged; and no motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition.

25. A motion to adjourn shall always be in order, except when the House is voting or some member is speaking, and shall be decided without debate.

26. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

27. Any member may call for a division of the question when the same shall admit of it, which shall be determined by the Speaker.

28. When a motion has been once made and carried in the

affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or succeeding day.

29. When the reading of a paper is called for, which has been read in the House, and the same is objected to by any member, it shall be determined by a vote of the House.

30. Petitions, memorials and other papers addressed to the House, shall be presented by the Speaker or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer; and shall not be debated or decided on the day of their being first read, unless the House shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.

31. No bill, petition, memorial, or other papers that may be introduced, shall be taken out of the possession of the House, or sent to the Senate, until the time of reconsideration shall have elapsed.

32. When the yeas and nays are called for, on any question, it shall be on motion before the question is put, and if seconded, the question shall be decided by yeas and nays; and in taking the yeas and nays, or on a call of the House, the names of the members shall be taken alphabetically.

33. No member shall be called upon for words spoken in the House, but on the day they were spoken. Decency of speech shall be observed, and personal reflections carefully avoided.

34. Any twenty members, including the Speaker, shall be authorized to compel the attendance of absent members.

35. No member or officer of the House shall absent himself from the service of the House, without leave, unless from sickness or inability to attend.

36. Any member may excuse himself from serving on any committee at the time of his appointment, if he is a member of two standing committees.

37. If any member shall be necessarily absent on any temporary business of the House when the vote is taken on any question, upon entering the House, he shall be permitted, on motion, to vote.



38. No standing rule or order shall be rescinded, altered, or suspended, without one day's notice given of the motion thereof; and to sustain such motion, two-thirds of the House shall be required.

39. The members of this House shall uncover their heads upon entering the Hall, whilst the House is in session, and shall continue so uncovered during their continuance in the Hall.

#### COMMITTEES.

40. Upon motion of any member, there shall be a call of the House, a majority of the members present assenting thereto; and upon a call of the House, the names of the members shall be called over by the Clerk, and the absentees noted; after which the names of the absentees shall again be called over. The doors shall then be closed, and those from whom no excuse or insufficient excuses are made, may, by order of those present, if fifteen in number, be taken into custody as they appear, or may be sent for and taken into custody, wherever to be found, by special messengers appointed for that purpose.

41. Six Standing Committees shall be appointed at the commencement of the session, viz: A Committee on Claims, a Committee on Propositions and Grievances, a Committee on Education, a Committee on Agriculture, a Committee on Internal Improvement, and a Committee on Privileges and Elections. Each of said Committees shall consist of eleven members, one from each Electoral District, and three at large, to be appointed by the Speaker. In addition to the above standing Committees, the Speaker shall appoint another—two members from each Judicial Circuit—to be denominated the Committee on Private Bills.

42. A Select Standing Committee, consisting of eleven members, shall be appointed at the commencement of the session by the Speaker, and be denominated "the Committee on the Judiciary."

43. Select Committees shall consist of five members. It shall be the duty of the person first named on any Committee, to cause the members of the Committee to convene when

necessary, and when so convened, they may appoint some one of their number Chairman.

44. In forming a Committee of the Whole House, the Speaker shall leave the Chair, and a Chairman to preside in Committee, shall be appointed by the Speaker.

45. Upon Bills committed to a committee of the whole House, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper as the same shall be agreed to by the Committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by sections, before a question on its passage be taken.

46. All questions, whether in Committee, or in the House, shall be propounded in the order in which they were moved, except that, in filling up blanks, the largest sum and longest time shall be first put.

47. The rules of proceeding in the House shall be observed in a committee of the whole House, so far as they may be applicable, except the rule limiting the times of speaking.

48. In a Committee of the Whole House, a motion that the Committee rise, shall always be in order, except when a member is speaking, and shall be decided without debate.

OF BILLS, RESOLUTIONS, ETC.

49. Every bill shall be introduced by motion for leave, or by order of the House on the report of a Committee.

50. Every bill shall receive three several readings in the House, previous to its passage; and the Speaker shall give notice at each, whether it be its first, second or third. The first reading of a bill shall be for information; and, if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without question.

51. Upon the second reading of the bill, the Speaker shall state it as ready for commitment or amendment.

52. *The Clerk of the House shall keep a calendar of the bills, in the order in which they are introduced; and all bills shall be dispatched in the order they stand upon the calendar.* No public bill shall be twice read on the same day without the concurrence of two-thirds of the members present.

53. All resolutions, which may grant money out of the Treasury, or such as shall be of a public nature, shall be treated, in all respects, in a similar manner with public bills.

54. When a bill is introduced to repeal a public law, or any part thereof, the law, or part intended to be repealed, shall be read at the second reading of the repealing bill; and shall not be read at any other reading of the said repealing bill, unless required by one-third of the House: *Provided, however,* that this rule shall not apply to the Report of the Commissioners to revise the Statutes.

55. When a bill has been once rejected, no other of the same purport shall be introduced again during the session.

56. The Clerk of the House shall be deemed to continue in office until another is appointed.

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### JOINT RULES OF BOTH HOUSES.

1. Each House shall perfect and finally act on all bills, resolutions and orders, before the same shall be communicated to the other for its concurrence; and if amended in the House to which it is transmitted, it shall be communicated to the House in which it originated, asking the concurrence of that House in the amendment.

2. In any case of amendment of a bill, resolution, or order agreed to in one House, and disagreed to in the other, if either House shall request a conference, and appoint a committee for that purpose and the other House shall also appoint a committee to confer, each committee shall consist of an equal number, and they shall meet and state to each other the reasons of their respective Houses, for and against the amendment, and confer freely thereon, and make a report in



writing to their respective Houses, of the result of their conference.

3. Messages from one House to the other shall be sent by the Assistant Clerk of each House, unless otherwise ordered.

4. When a message shall be sent from one House to the other, it shall be announced at the door of the House to which it is sent by the Doorkeeper, and shall be respectfully delivered to the Chair, by the person by whom it may be sent.

5. After a bill shall have passed the House in which it originated, it shall be under the signature of the Clerk, and engrossed under his direction and inspection, before it shall be communicated to the other House.

6. After a bill shall have passed both Houses, it shall be duly enrolled, on suitable paper by the Engrossing clerks, before it shall be presented for ratification.

7. When bills are enrolled, they shall be carefully examined by a Joint Committee of three from the Senate, and five from the House of Commons, whose duty it shall be, to carefully compare the enrollment with the Engrossed Bills, as passed in the two Houses, and to correct any errors that may be discovered in the enrolled bills, and make their report of the said bills to the House.

8. After examination and report, each bill shall be ratified and signed in the respective Houses; first by the Speaker of the House of Commons, and then by the Speaker of the Senate.

9. All orders, resolutions and votes of the Houses shall be examined, engrossed and signed in the same manner as bills.

10. When a bill or resolution, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

11. The Committee in each House shall in all cases, *make in writing a statement of facts on which their report is founded*; which statement, with all other papers on which any Bill or Resolution may be formed, shall be transmitted to the other House.

12. The committee of Finance shall be joint, consisting of eight members from each House. The Library Committee

shall be a joint Standing Committee, consisting of three members from each House, appointed by the Speakers thereof respectively.

13. In all Joint Committees, the member first named on the Committee, on the part of the House proposing to raise such Committee, shall convene the same; and when met they shall choose their own Chairman.

14. Either House may make a reference to any Joint Committee, and all reports shall be made to the House ordering such references.

15. Whenever either House shall order any paper or document to be printed, it shall be printed in octavo form, on good paper, and with fair type; and those documents ordered to be printed by the Senate, shall be printed as "Senate Documents," and those ordered to be printed by the House of Commons, shall be printed as "House Documents," and numbered in regular order; except when communications are made to either house by the Governor, Treasurer, Comptroller, or Secretary of State, and are ordered to be printed, they shall be designated as "Executive Documents," and said papers and documents shall be distributed in the following manner: One copy thereof to each member of the General Assembly, one copy to the Clerks of each House for the use thereof, and ten copies shall be deposited in the Public Library, and the Public Librarian be required to have them neatly bound.

17. All elections requiring a joint vote shall be *viva voce*, and a Select Committee of two members in each House shall be appointed to superintend the same in their respective Houses. After the vote shall have been taken, said Select Committee shall confer together and report the result of such election to their respective Houses.

18. The foregoing rules shall be permanent Joint Rules of the Legislature of North-Carolina, until altered or amended.

# INDEX TO HOUSE JOURNAL.

## ELECTIONS.

	PAGE.
Election of Speaker, .....	6
“ “ Principal Clerk, .....	7
“ “ Assistant Clerk, .....	7
“ “ Principal Doorkeeper, .....	8
“ “ Assistant Doorkeeper, .....	9
“ “ State Printer, .....	39
“ “ First Engrossing Clerk, .....	42
“ “ Second and third Engrossing Clerks, .....	64
“ “ Secretary of State, .....	43
“ “ Solicitor for 6th circuit, .....	45
“ “ Solicitor for 1st circuit, .....	59
“ “ Solicitor for 7th circuit, .....	60
“ “ Attorney General, .....	65
“ “ Comptroller, .....	132
“ “ Public Treasurer, .....	154
“ “ Attorney General to fill a vacancy, .....	165
“ “ University Trustees, .....	209

## YEAS AND NAYS.

	PAGE.
On Adjournment, 51, 126, 143, 149, 156, 158, 160, 162, 180, 273, 274, 278, 289, 294, 332, 362, 363, 390, 408, 409, 446	
“ Mr. Stubb's resolution concerning the election of Judges, &c., by the people, .....	56
“ The passage of the bill to repeal section 95, chapter 34, of Revised Code, its 2d reading, .....	64
“ The passage of the bill to amend section 25, chapter 31, of Revised Code, its 2d reading, .....	69
“ The passage of the bill to amend the 1st article, 3d section, 2d clause, of the amended Constitution of the State, its 1st reading,	72
“ The same its 2d reading, .....	97
“ The same its 3d reading, .....	101
“ Mr. Ferebee's motion to postpone indefinitely the bill to establish Alleghany county, .....	73
“ Mr. Gilliam's motion to postpone indefinitely the bill concerning deeds and mortgages, .....	83



	PAGE.
On The passage of the bill its 2d reading, .....	83
“ Reconsidering the above vote, .....	86
“ The passage of the bill to establish Avery county, its 2d reading,	86
“ Reconsidering the above vote, .....	91
“ The passage of the bill to divide Chatham county, its 2d reading,	91
“ The passage of the bill concerning the lands of the State in Watauga county, its 2d reading, .....	93
“ The same its 3d reading, .....	110
“ Mr. Scott’s appeal from a decision of the Chair, .....	96
“ The passage of the bill to charter the Macon Turnpike Company, its 2d reading, .....	98
“ The same its 3d reading, .....	111
“ Mr. Badham’s motion to lay on the table the bill to aid the Wes- tern and Fayetteville Road, .....	108
“ The passage of the same, its 2d reading, .....	125
“ Reconsidering the foregoing vote, .....	127
“ Emancipating certain slaves, .....	113
“ The passage of the bill to charter the town of Salem, its 3d read- ing, .....	121
“ Mr. Badham’s motion to lay on the table a resolution concerning adjournment, <i>sine die</i> , .....	129
“ An amendment to the bill to revive and amend the charter of the Camden and Pasquotank Canal Company, .....	131
“ Mr. Baxter’s motion to lay on the table a resolution concerning reconsideration, .....	136
“ Mr. Erwin’s motion to lay on the table the bill to provide for the Insane Asylum, ... ..	142
“ Mr. Leach’s motion to take a recess, .....	143
“ Mr. Outlaw’s motion to postpone indefinitely the bill to charter the People’s Bank, .....	147
“ The passage of the bill its 2d reading, .....	147
“ The passage of the bill to emancipate William, a slave, its 2d read- ing, .....	148
“ The same, its 3d reading, .....	150
“ The passage of the bill for the relief of the Insane, its 3d reading,	151
“ The passage of the bill concerning Capitol Square, its 3d reading,	153
“ Mr. Gilliam’s motion to refer to a select committee the resolution in favor of B. H. Stanmire, .....	172
“ Mr. Sharp’s motion to indefinitely postpone said resolution, .....	172
“ Mr. Blow’s motion to reconsider the vote rejecting the reference to a select committee, .....	173
“ Mr. Hackney’s amendment to the resolution, .....	174
“ Mr. Gilliam’s amendment, .....	174
“ The passage of the resolution its 2d reading, .....	175

	PAGE.
On The passage of the bill to increase the salary of the Secretary of State, its 2d reading, .....	178
“ The passage of the bill for better securing costs in the action of Ejectment, its 3d reading, .....	179
“ Mr. Sharp’s motion to lay upon the table a resolution concerning the sittings of the House, .....	182
“ Mr. Settle’s amendment to the resolution, .....	183
“ Mr. Scott’s amendment, .....	183
“ The passage of the resolution, .....	184
“ The passage of the bill to repeal chapter 36, section 6, of Revised Code, its second reading, .....	186
“ The indefinite postponement of the bill to establish the county of Graham, .....	190
“ Mr. Jenkins’ motion to indefinitely postpone the bill concerning small notes, .....	191
“ Mr. Elliott’s amendment to said bill, .....	191
“ Mr. Gilliam’s amendment, .....	192
“ Another amendment by Mr. Gilliam, .....	193
“ Mr. Outlaw’s motion to lay on the table a resolution concerning the introduction of bills, .....	196
“ An amendment to the bill to authorise the banks of this State to issue small notes, .....	199
“ An amendment by Mr. Hill of Halifax, .....	200
“ The passage of the bill, its 2d reading, .....	201
“ Mr. Stubbs’ motion to lay upon the table the resolution to go into an election for University trustees, .....	203
“ The passage of the bill to amend the charter of Harnett county, its 2d reading, .....	210
“ Mr. Jenkins’ motion to postpone indefinitely the bill to provide payment for tales jurors, .....	214
“ The passage of the resolution in favor of Elizabeth Kissam, its 3d reading, .....	215
“ The motion of Mr. Hill of Halifax, to lay upon the table a motion to print a minority report on constitutional reform, .....	217
“ The indefinite postponement of the bill concerning the N. C. Railroad coupon bonds, .....	218
“ Mr. Gilliam’s motion to postpone indefinitely the bill for the protection of the laborer and mechanic, .....	220
“ The motion of Mr. Hill of Halifax, to lay the same upon the table, .....	227
“ The motion of Mr. Hill of Halifax, to lay on the table a resolution concerning the appointment of a magistrate in Halifax county, .....	221
“ A resolution concerning night sessions, .....	223
“ Reconsidering the vote rejecting the bill concerning the coupon bonds of the N. C. Railroad Company, .....	225

	PAGE.
On the passage of the bill to revise and consolidate the charter of the City of Raleigh, its 2d reading, - - - - -	229
“ The passage of the bill to open the Yadkin river to the free passage of fish, its 3d reading, - - - - -	230
“ The passage of the bill to establish Avery county, its 2d reading, - - - - -	231
“ The passage of the bill to prohibit the sale of spirituous liquors near the Western Male Academy, its 2d reading, - - - - -	232
“ The adoption of a resolution in favor of Samuel Williams & Son, its 2d reading, - - - - -	233
“ A resolution concerning the times of meeting and adjourning, - - - - -	234
“ The passage of the bill to amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, - - - - -	237
“ Mr. Outlaw’s motion to lay on the table the bill to amend chapter 99, section 60, of Revised Code, - - - - -	238
“ The passage of a resolution in favor of Concord Presbyterian College, its 2d reading, - - - - -	243
“ The passage of the bill to charter the N. W. Railroad Company, its 2d reading, - - - - -	244
“ Reconsidering the vote on the above, - - - - -	245
“ Mr. Caldwell’s amendment to the bill concerning escheats, - - - - -	246
“ Mr. Green’s amendment, - - - - -	247
“ Mr. Leach’s motion to postpone indefinitely the bill to increase the pay of members of the Legislature, - - - - -	248
“ The passage of the bill to improve Yadkin river in Perquimons county, its 2d reading, - - - - -	251
“ Mr. Baxter’s motion to lay on the table the resolution concerning the Mexican Preamble, - - - - -	251
“ A motion to postpone a special order, - - - - -	252
“ Mr. Caldwell’s amendment to the resolution concerning the Mexican Preamble, - - - - -	254
“ Mr. Mann’s motion to lay on the table, - - - - -	255
“ The motion of Mr. Hill of Halifax, to suspend the rule concerning adjournment until the question before the House was disposed of, - - - - -	256
“ Mr. Mann’s amendment to the resolution, - - - - -	257
“ Mr. Scott’s motion to postpone indefinitely, - - - - -	257
“ Mr. Sharp’s amendment, - - - - -	258
“ Mr. Caldwell’s motion to refer, - - - - -	259
“ The passage of the resolution its 2d reading, - - - - -	259
“ Suspending the rule in order to put the resolution on its 3d reading, - - - - -	260
“ Mr. Ferebee’s motion to lay the resolution on the table, - - - - -	261
“ The passage of the resolution its 3d reading, - - - - -	262
“ Mr. Holmes’ motion to lay on the table Mr. Mann’s motion to alter the Journal of the preceding day, - - - - -	263



	PAGE.
On Reconsidering the vote on the bill concerning escheats, &c.,	265
“ Mr. Humphrey’s amendment to the bill to aid in the construction of the Western Railroad,	267
“ The passage of the bill its 2d reading,	268
“ Mr. Settle’s motion to lay on the table the bill to give the election of Judges, &c., to the people,	271
“ The passage of the bill to charter the Southern Airline Railroad Company, its 2d reading,	272
“ Mr. Gilliam’s motion to lay on the table a motion to reconsider the vote on the bill to aid the Western Plankroad,	273
“ Mr. Green’s amendment to the bill to charter the Rockingham Coalfield Railroad Company,	277
“ The passage of the bill, its 2d reading,	277
“ The passage of the bill, its 3d reading,	284
“ Mr. Bledsoe’s motion to lay on the table Mr. Settle’s motion to suspend the rules,	279
“ Suspending the rules,	280
“ Mr. Outlaw’s motion to lay on the table the bill to remove free negroes from the State,	282
“ Mr. Outlaw’s motion to lay on the table the bill to charter the Beaufort Harbor and Coalfield Railroad,	285
“ An indefinite postponement of the bill,	288
“ A motion to lay on the table a motion to reconsider the preceding vote,	288
“ The passage of the bill to amend chapter 6 of Revised Code, title Asylums, its 3d reading,	293
“ Sustaining a decision of the Chair,	297
“ Mr. Badham’s motion to postpone to 4th of March the bill to give the election of Judges, &c., to the people,	298
“ The passage of the resolution in favor of York Collegiate Institute, its 2d reading,	299
“ Mr. Baxter’s motion to postpone indefinitely the bill to re-charter the Bank of the State,	300
“ Mr. Scott’s amendment to the bill,	301
“ Mr. Stubbs’ amendment,	302
“ Mr. Erwin’s amendment,	303
“ The passage of the bill its 2d reading,	304
“ The passage of the bill to amend the Revised Code, chapter 107, concerning slaves, &c.,	305
“ Mr. Erwin’s motion to lay on the table a resolution concerning the machine shops in Alamance,	309
“ The passage of the bill to amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, its 2d reading,	310

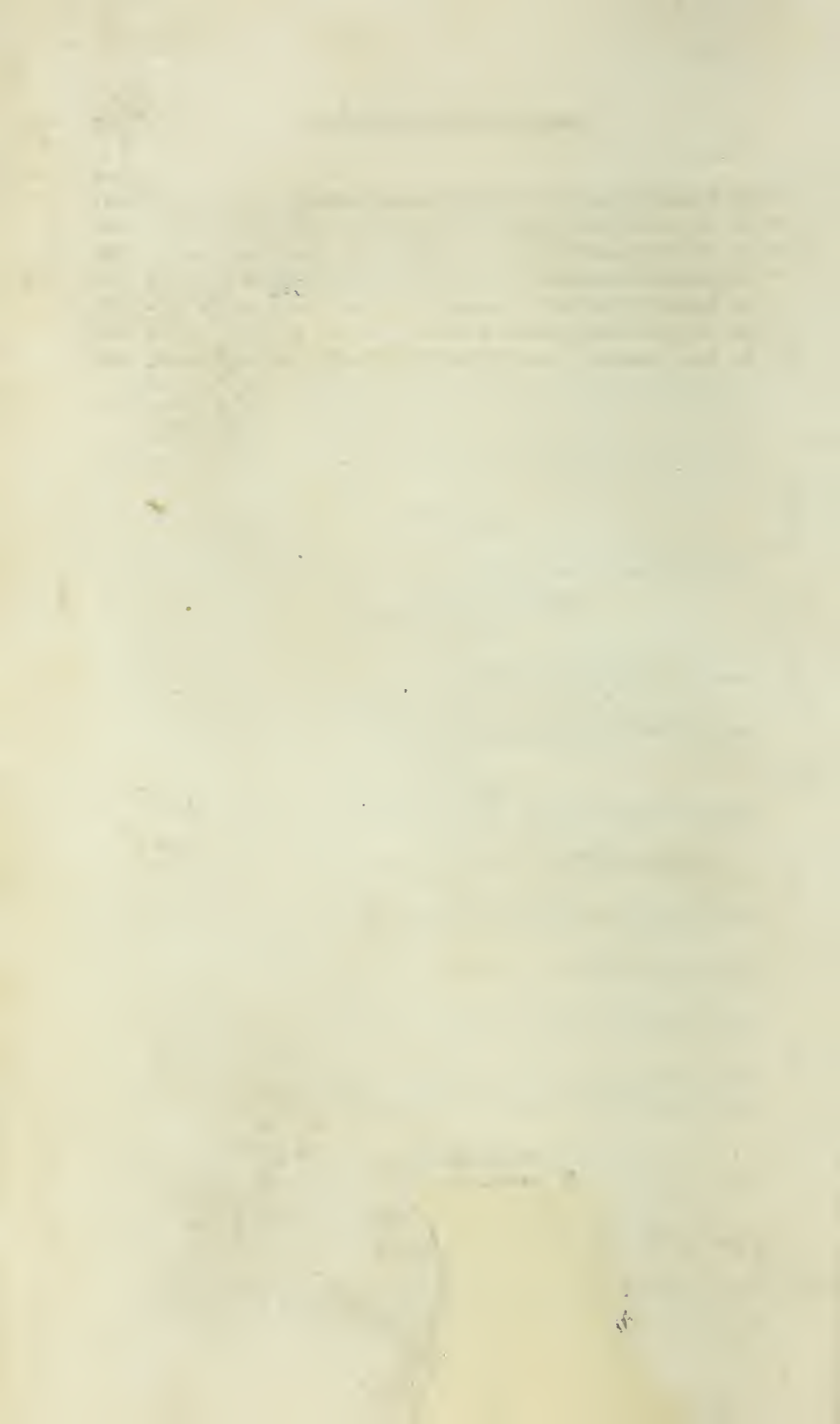
	PAGE.
On Mr. Crump's motion to postpone the bill to charter the North Carolina Bank, - - - - -	311
" The passage of the bill its 2d reading, - - - - -	312
" Mr. Little's motion to lay on the table the resolution in favor of B. H. Stanmire, - - - - -	314
" Mr. White's (of Cabarrus) amendment, - - - - -	314
" The passage of the resolution its 3d reading, - - - - -	315
" Mr. Badham's motion to lay on the table the bill to exempt a homestead from execution, - - - - -	317
" Mr. Jarvis' motion to postpone, - - - - -	318
" The passage of the bill to amend chapter 17, section 17, of Revised Code, title Cattle, 2d reading, - - - - -	319
" A resolution to rescind the order for adjournment, <i>sine die</i> , - - - - -	321
" Mr. Jarvis' motion to postpone the bill to charter the People's bank, - - - - -	323
" A motion to suspend the rule, - - - - -	324
" Mr. Badham's amendment to the bill to diminish costs, - - - - -	325
" Mr. Bledsoe's motion to postpone the bill to repeal a portion of the Revised Code, entitled Currency, - - - - -	326
" The passage of the bill its 2d reading, - - - - -	328
" Mr. Montgomery's motion to postpone indefinitely the bill to authorise the Banks of the State to issue small notes, - - - - -	329
" Mr. Elliott's amendment, - - - - -	330
" The passage of the bill its 3d reading, - - - - -	331
" A resolution concerning adjournment, <i>sine die</i> , - - - - -	333
" Mr. Davidson's motion to postpone the bill to aid in the completion of the Atlantic and N. C. Railroad, - - - - -	336
" Mr. Badham's amendment, - - - - -	337
" The passage of the bill, its 2d reading, - - - - -	337
" The resolution in favor of W. H. Bobbitt, - - - - -	340
" Suspending the rule, - - - - -	340, 343
" Mr. Outlaw's motion to lay on the table the bill to charter the N. C. Bank, - - - - -	341
" The passage of the bill its 3d reading, - - - - -	342
" The bill concerning Clerks and Masters, - - - - -	344, 345
" Mr. Jenkins' motion to postpone the bill to improve Pasquotank river, - - - - -	346
" The passage of the bill, its 2d reading, - - - - -	347
" A resolution concerning debate, - - - - -	349
" The passage of the bill to charter the People's Bank, its 3d reading, - - - - -	350
" Mr. Meares' substitute for the bill to amend chapter 99 of Revised Code, entitled Revenue, - - - - -	353
" Mr. Erwin's amendment, - - - - -	354
" Mr. Folk's amendment, - - - - -	356, 358
" Reconsidering a vote, - - - - -	357

	PAGE.
On Mr. Mann's amendments, - - - - -	359, 366
“ The passage of the bill concerning evidence, its 2d reading, -	361
“ Mr. Jenkins' amendment to Revenue bill, - - - - -	365
“ Mr. Reeves' amendments, - - - - -	367, 370
“ Mr. Waddill's amendment, - - - - -	369
“ Mr. Bullock's amendment, - - - - -	369
“ Mr. Ward's amendment, - - - - -	371
“ The passage of the bill its 2d reading, - - - - -	372
“ Postponing the bill to establish a medical board, - - - - -	374
“ Mr. Caldwell's amendment to the bill concerning the Wilmington, Charlotte and Rutherford Railroad, - - - - -	376
“ The passage of the bill its 3d reading, - - - - -	377
“ Mr. Leach's amendments to Revenue bill, - - - - -	378, 379
“ Mr. Hackney's amendment, - - - - -	382
“ Mr. Mann's amendment, - - - - -	383
“ Extending the session, - - - - -	384, 388
“ Mr. Caldwell's amendment to Revenue bill, - - - - -	385
“ Mr. Caldwell's motion to reconsider, - - - - -	387
“ Mr. Houck's motion to reconsider, - - - - -	389
“ The passage of the Revenue bill, its 3d reading, - - - - -	392
“ The passage of the bill to complete the Atlantic and N. C. Rail- road, its 3d reading, - - - - -	393
“ The same after being reconsidered, - - - - -	394
“ Mr. Routh's amendment to the bill to amend the charter of the Western N. C. Railroad Company, - - - - -	396
“ Mr. Baxter's amendment, - - - - -	403
“ The passage of the bill its 3d reading, - - - - -	404
“ Mr. Holmes' amendment to the bill to charter the Cheraw and Coalfield Railroad, - - - - -	405
“ Mr. Outlaw's amendment, - - - - -	407
“ Mr. Caldwell's amendment, - - - - -	408
“ The passage of the bill its 3d reading, - - - - -	411
“ The passage of the bill concerning the Bank of Cape Fear, its 2d reading, - - - - -	414
“ The passage of the bill to recharter the Bank of the State, its 3d reading, - - - - -	416
“ The passage of the bill concerning the coupon bonds of the N. C. Railroad, its 2d reading, - - - - -	417
“ Mr. Humphrey's motion to lay on the table a proposition to re- scind the joint resolution concerning adjournment, - - - - -	419
“ Mr. Scott's motion to reconsider the vote by which the bill to charter the Western N. C. Railroad had passed, - - - - -	420
“ The passage of the bill concerning the Albemarle and Chesapeake Canal, its 2d reading, - - - - -	421



	PAGE.
On Mr. Meares' motion to postpone indefinitely the bill concerning cotton and wheat inspectors in Wilmington, - - - -	423
" Mr. Meares' amendment to the bill, - - - -	424
" Mr. Meare's motion to lay on the table a part of a message from the Senate, - - - -	425
" Concurring in the report of a committee of conference on a section of the Revenue bill, - - - -	426
" The passage of the bill to establish Avery county, its 3d reading,	428
" The passage of the bill to establish a road in Caldwell county, its 3d reading, - - - -	430
" Mr. Davidson's amendment to the bill concerning the Albemarle and Chesapeake Canal, - - - -	433
" The passage of the bill its 2d reading, - - - -	434
" The same its 3d reading, - - - -	434
" Mr. Cansler's motion to lay on the table the bill concerning the coupon bonds of the N. C. Railroad Company, - - - -	435
" The passage of the bill its 2d reading, - - - -	436
" The same its 3d reading, - - - -	437
" Mr. Waugh's amendment to a resolution concerning adjournment,	439
" The passage of the resolution, - - - -	439
" Mr. Meares' amendments to the bill concerning the Greenville and French Broad Railroad Company, - - - -	442
" The passage of the bill its 3d reading, - - - -	443
" The passage of the bill concerning small notes of the Bank of the State, its 2d reading, - - - -	444
" The passage of the resolution in favor of the Governor's Private Secretary, its 2d reading, - - - -	445
" The passage of the bill to amend the constitution concerning taxes, its 2d reading, - - - -	448
" The bill to repeal chapter 61, section 37, of Revised Code, its 2d reading, - - - -	449
" Mr. Caldwell's amendment to the bill to charter the Farmer's and Mechanic's Bank, - - - -	471
" Mr. Cotten's amendment to the Cape Fear and Deep River bill,	478
" The passage of the bill in favor of Lemuel Wilkinson and others, its 2d reading, - - - -	480
" Mr. Gilliam's motion to reconsider the foregoing vote, - - - -	481
" The passage of the bill to amend the charter of the Cape Fear and Deep River Navigation Company, its 2d reading, - - - -	483
" Mr. Bynum's motion to postpone the bill concerning the Lunatic Asylum, - - - -	485
" Mr. Ferebee's amendment to the C. F. and D. R. Navigation bill,	488
" Mr. Dargan's motion to lay the bill on the table, - - - -	490

	PAGE.
On Mr. Ferebee's motion to strike out an amendment, - - -	491
" Mr. Dargan's amendment, - - - - -	492
" Mr. Badham's amendment, - - - - -	492
" Mr. Outlaw's amendment, - - - - -	493
" Mr. Benbury's motion to postpone, - - - - -	494
" Mr. Dargan's motion to take a recess, - - - - -	495
" Mr. Love's motion to rescind the order for adjournment, <i>sine die</i> ,	496

















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